

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS MEETING

PRESIDENTIAL SEARCH COMMITTEE MEETING

The O'Hare Marriott Hotel  
8535 West Higgins Road  
The Michigan Room  
Chicago, Illinois 60631

September 6, 1991  
Commences at 11:00 a.m.

Board Members Present:

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

Staff Present:

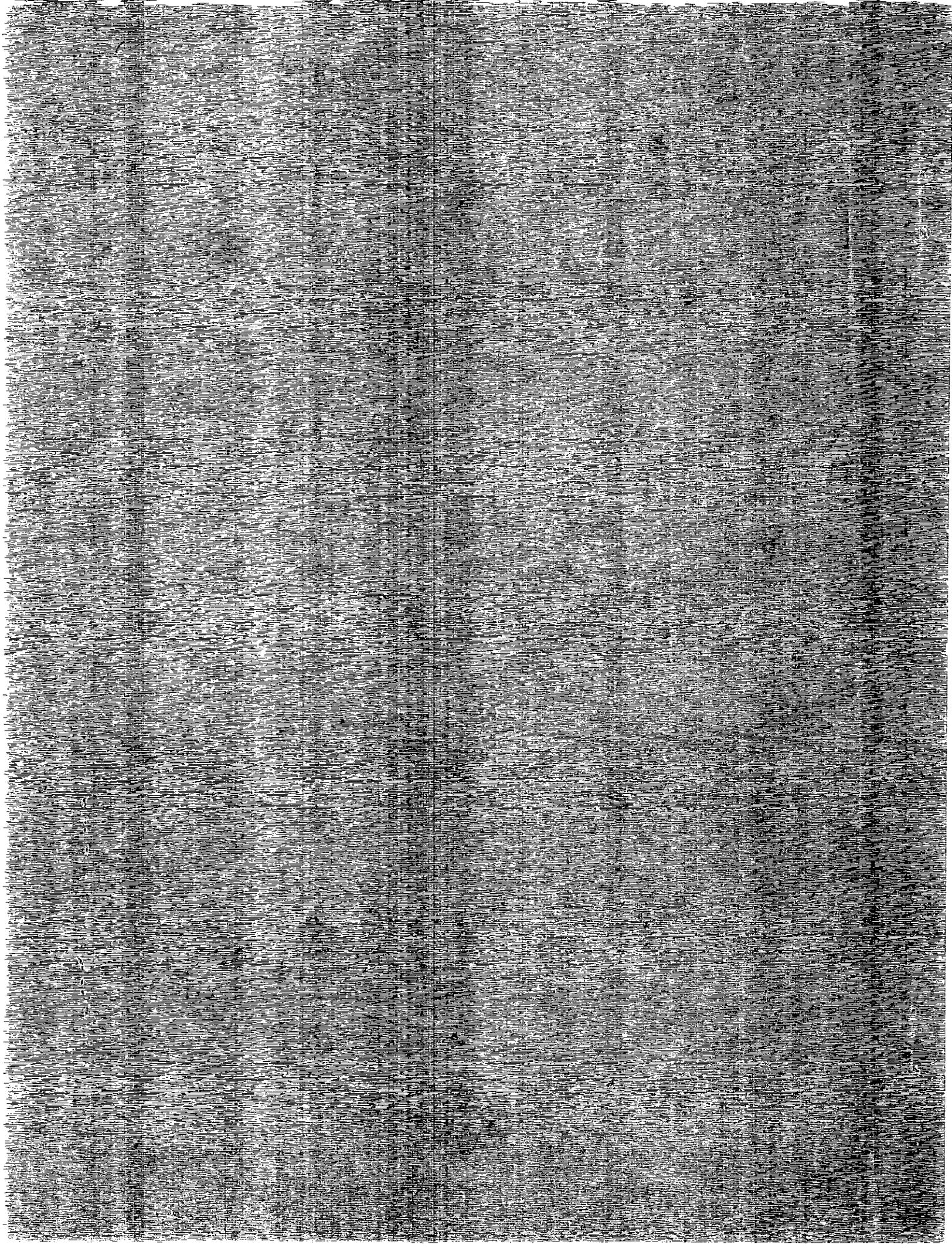
Patricia Batie, Secretary  
Victor Fortuno, General Counsel  
Kathleen de Bettencourt

Diversified Reporting Services, Inc.

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121



LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS MEETING

PRESIDENTIAL SEARCH COMMITTEE MEETING

The O'Hare Marriott Hotel  
8535 West Higgins Road  
The Michigan Room  
Chicago, Illinois 60631

September 6, 1991  
Commences at 11:00 a.m.

Board Members Present:

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

Staff Present:

Patricia Batie, Secretary  
Victor Fortuno, General Counsel  
Kathleen de Bettencourt

**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

(11:00 a.m.)

1  
2  
3 CHAIRMAN WITTGRAF: Good morning. Welcome to the  
4 first of this year's Presidential Search Committee meetings of  
5 the Board of the Legal Services Corporation. The meeting was  
6 announced to begin at 11:00 a.m., and it's just shortly after  
7 11:00 a.m., so we'll begin our deliberations as such.

8 For those of you who haven't had the opportunity,  
9 either previously or today, let me clarify that our small  
10 search committee is comprised of Mr. Kirk, Mr. Dana, and  
11 myself. Three other of our Board members are able to be with  
12 us today, Mr. Hall from Texas, Ms. Love from Mississippi, and  
13 Ms. Wolbeck from Minnesota. If you haven't had a chance to  
14 meet them, please feel free to do so.

15 The early part of our meeting will be quite informal  
16 and will even include some sumptuous lunch that, in our close  
17 quarters here, we'll invite everybody to partake of. We  
18 probably will have a portion of our meeting that is closed in  
19 the afternoon. We'll ask you to excuse yourselves from these  
20 luxurious surroundings at that time.

21 Before we begin talking about the search process, I  
22 will make some comments for the benefit of our Board members

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 who are here, and perhaps for the benefit of some of you. I  
2 think most of you are experienced enough in this context, and  
3 most of you more experienced than most of us in the world of  
4 legal services, that you know that litigation for, and among,  
5 and between, and by, and against is just kind of par for the  
6 course.

7 This moment is no exception. We had, as a Board,  
8 not extended the contract of our IG, our inspector general,  
9 David Wilkinson, at a meeting last February, which I think the  
10 pleadings in a lawsuit now reveal. Mr. Wilkinson, being  
11 someone who had gained a couple of year's experience in the  
12 legal services world, felt called upon to sue us.

13 He sued us early, and then he amended his complaint  
14 and sued us often. Yesterday there was a hearing in which he  
15 was seeking a temporary restraining order in joining us from  
16 having him vacate his office at midnight last night. Much of  
17 the paperwork that's going back and forth among us has to do  
18 with the judge's ruling which was made early last evening,  
19 essentially denying the request for the temporary restraining  
20 order.

21 We're delighted with the judge's decision, with  
22 which we're in strong agreement. We're also delighted by a

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 supplemental declaration filed by Mr. Wilkinson in the course  
2 of the proceedings yesterday afternoon in which he's made  
3 clear his realization that it is not his position to  
4 "disseminate allegations against corporation personnel,  
5 privately, to my media, and other contacts in Washington."

6 There have been a lot of newspaper articles, some of  
7 which you've probably seen in legal publications as well as in  
8 the Washington Post and others in recent days. We've  
9 attempted, as a Board, to go about our business in what we  
10 perceive to be the proper, and responsible, and professional  
11 way. We're hoping that Mr. Wilkinson will do likewise, even  
12 though he has felt the need to sue us.

13 We are pleased that he has made this declaration so  
14 that we can go about our business. His suing us and his  
15 departure are purely coincidental with what brings us here  
16 today, although he has made an effort in the news media to try  
17 somehow to tie those two things together.

18 Unexpectedly, David Martin, who was selected by the  
19 Board last August to be the president of the Corporation, just  
20 a few weeks ago now, tendered his resignation effective  
21 September 15th. We would like to think that we've made some  
22 progress as a Board and as a Corporation during the last 10,

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 11, 12 months, and that a large part of the credit for  
2 whatever progress we've made belongs to Dave Martin.

3 One of our primary concerns, and we voiced it to  
4 Dave and other candidates for the presidency when we visited  
5 with them last July and August was the need to reestablish  
6 communications with the field, to try to establish a working,  
7 constructive relationship rather than an adversarial  
8 relationship.

9 We understand, and some of you have heard me give  
10 this sermon before, Jerry, so forgive me, but we are in the  
11 relationship, certainly to a large degree, of regulator and  
12 regulated. That creates a little natural tension. We  
13 understand and accept that.

14 We'd like to think of it as a family-type  
15 relationship rather than an adversarial relationship. I  
16 hesitate to suggest that we're the parent and the grantees in  
17 the field are the children, but -- so I won't. But, as a  
18 family works together and pulls together and hopefully has  
19 some common aims, we'd like to think that we, as a Board, and  
20 the Corporation staff have common aims with the people  
21 laboring in the fields and people who certainly have been  
22 laboring in the fields longer than most of us on the Board

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 have been here or most of the people have been members of our  
2 Corporation staff.

3 We'd like to think that in addition to an improved  
4 climate and enhanced communications, our support for increased  
5 levels of funding helped increase the level of funding for the  
6 Corporation to \$328 million in the fiscal year that is winding  
7 down. We're hoping that that figure will be in the  
8 neighborhood of \$350 million for the coming fiscal year  
9 beginning the first of next month.

10 We think that that is an outgrowth of our having a  
11 better relationship. We'd like to think that what progress  
12 has been made thus far in the reauthorization process has been  
13 influenced by the fact that we have a better working  
14 relationship between the Board and the Corporation and the  
15 field.

16 We know that there's a lot to be accomplished yet.  
17 That's why I, with the help of Pat Batie, have specifically  
18 asked some of you to be here today. There are others of you  
19 who have come at your own initiative, and we thank you for  
20 taking that initiative.

21 I think before we begin, Bud, and Howard, and I,  
22 making any suggestions about any process to the Board or

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 laying out options for the Board, making any recommendations  
2 to the Board, we want to receive any suggestions or any  
3 recommendations from people who are very much affected by this  
4 process, probably affected more on a daily basis than some of  
5 us, as to not only what characteristics a new president might  
6 have but also what challenges you think lie ahead for a new  
7 president and what points we, as a Board, ought to be raising  
8 with a new president, what kinds of concerns, what kinds of  
9 challenges there are, so that we can, while we may have other  
10 things in mind and we may not agree absolutely with some of  
11 your thoughts and ideas, we want to have the benefit of your  
12 thoughts and ideas so we can put those things in front of  
13 candidates for president as well.

14 Specifically with Pat's help, I had asked, I think,  
15 a variety of project directors to join us today, Mr. Asher,  
16 Mr. Dorsey, Ms. Shen-Jaffe, and Mr. Roodman, all of whom,  
17 except perhaps Ms. Shen-Jaffe, have been one way or another  
18 visited with members of our Board before.

19 We understand that you represent a variety of  
20 projects and that some of you have even had adversarial  
21 dealings with the Corporation over the years. We at least  
22 respect the fact that there may have been honest differences,

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 and we want to hear about some of those problems today.

2 Let me just make one more comment and then I'll quit  
3 rambling. That is, I think that all of us on the Board  
4 realize that we have a challenge ahead in our relationship  
5 with the Congress in making our case for increased funding,  
6 along the lines of greater accountability, what's sometimes  
7 called timekeeping or recordkeeping, trying to be able to show  
8 and make the case that the greatest bang is being gotten for  
9 the federal buck.

10 If we ever have regulatory authority again, if we're  
11 ever confirmed, that's an area that we are going to be  
12 concerned with, with which we're preliminarily concerned now.  
13 As we visit with you, we hope that you will have that in mind.

14 Secondly, and perhaps more emotionally, more  
15 politically charged, is the area of so-called competitive  
16 bidding or competitive funding. We are anticipating that we  
17 may have in the FY '92 appropriation more or less a million  
18 dollars with which we can do some experimentation, undertake  
19 some demonstration-type activities.

20 We're interested in your thoughts on how best we can  
21 do that. On the one hand, we're not wanting to -- and perhaps  
22 I'm only speaking for myself at this point. Mr. Dana, Mr.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 Kirk, and other Board members may want to make some comments.  
2 But we're not wanting to cause project directors, Board  
3 presidents, or project staff members to be having sleepless  
4 nights.

5 Again, we are interested in more bang for the buck.  
6 We are interested in trying to either kick start weak projects  
7 or potentially kick out weak projects and replace them with  
8 somebody who is able better to provide civil legal services  
9 for the poor. We want your thoughts on how best we can  
10 accomplish that.

11 We also think that if we can make the case through  
12 accountability and through showing how we're trying to help  
13 some of the weaker providers do a better job, that we will  
14 then be in a better position to make the case for increased  
15 federal funding, which we would like to think would be of the  
16 benefit, on the one hand, to all of the projects we're  
17 providing services and, on the other hand, ultimately to the  
18 people who need those services.

19 Before asking Jon, and Charley, and Ada, and Sheldon  
20 to maybe come up to this prestigious table here in front of us  
21 with the red tablecloth, let me ask Mr. Kirk and Mr. Dana and  
22 the other Board members if they have any comments they'd like

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 to make before we proceed.

2 Mr. Kirk?

3 MR. KIRK: I consider this a first step of what may  
4 be a long process. As just about the newest member of the  
5 Board, I start out far behind all the others. I hope that  
6 you'll help me address some of my shortcomings because I may  
7 ask some rather, I should say, sophmoric questions, but I hope  
8 they are better than that, but naive questions.

9 One of the things I'm working for myself on is  
10 trying to take our role as the Board, and the president, and  
11 all and compare it to something in the private world or maybe  
12 even something else in the government world. Are we a  
13 Corporation more like Amtrak or the postal system? Are we  
14 like the managing department of a many officed law firm? Are  
15 we Ray Krock sitting at the head of the McDonald's franchises?

16 I think a lot of that determines where we are and  
17 what we are. What we're going to be in the future may  
18 determine, you know, how we view ourselves and what type of  
19 president we really want to have.

20 I have to tell you that I presume that 100 percent  
21 of what we hear today is going to be more legal service's  
22 experience, take somebody from the field, and what have you.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 I'm fully expecting that. I don't see anybody in the room  
2 that's going to talk against that. I would expect that.

3 If I were representing the union of workers as  
4 Dwight is and what have you, I would want more field  
5 personnel. I would want more security for the jobs. I'd want  
6 that very thing. To the extent that I may not always agree  
7 with you, I hope that you can understand that I'm struggling  
8 with the issue of what are we and where are we going.

9 I really appreciate you coming. I'm going to listen  
10 well. I hope that you'll let me ask some questions and accept  
11 my questions as just part of my overall desire to become more  
12 informed about legal services, which, in my last six, seven,  
13 months have been unbelievable, and they'll continue to be that  
14 way. Thank you.

15 CHAIRMAN WITTGRAF: Mr. Dana?

16 M O T I O N

17 MR. DANA: I have nothing, except would it be  
18 appropriate to move the adoption of the agenda?

19 CHAIRMAN WITTGRAF: I'm not sure I have one. Why  
20 don't we go ahead and give Blakeley, and Joe, and Jeanine a  
21 chance if they want to say anything, and then move forward?

22 Blakeley, Mr. Hall?

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. HALL: No.

2 CHAIRMAN WITTGRAF: Ms. Love, anything you'd like to  
3 say at the outset?

4 MS. LOVE: I'm not looking forward to a new  
5 president. That's all. Thank you.

6 CHAIRMAN WITTGRAF: Ms. Wolbeck?

7 MS. WOLBECK: No. I've just said I've been on here  
8 a little bit longer than Bud, but I echo much of what he has  
9 to say. I still listen.

10 CHAIRMAN WITTGRAF: Mr. Dana has moved the approval  
11 of the agenda as presented. Is there a second?

12 MS. LOVE: Second.

13 CHAIRMAN WITTGRAF: It's been moved and seconded.  
14 Is there a discussion?

15 (No response.)

16 CHAIRMAN WITTGRAF: Hearing none, those who are in  
17 favor of the adoption of the agenda as presented will signify  
18 by saying aye.

19 (A chorus of ayes.)

20 CHAIRMAN WITTGRAF: The ayes appear to have it. The  
21 ayes do have it. The agenda is adopted.

22 At this point, Jon, Charlie, Ada, Sheldon, if you

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 wouldn't mind, grab another chair at this sumptuous witness  
2 table. We're wanting you to understand that we're trying not  
3 to waste any dollars that might be better used otherwise on  
4 luxurious, unnecessary accommodations for us or for you.

5 I have not visited with any of you until this  
6 morning. You've all visited with Pat. I don't know whether  
7 the four of you have had occasion to visit with one another or  
8 not.

9 MS. SHEN-JAFFE: We have.

10 CHAIRMAN WITTGRAF: You have. That's good. Just as  
11 Bud would expect, you're well prepared.

12 MR. KIRK: You're supposed to say no, Ada, in case  
13 you didn't get that. You obviously should have said no.

14 CHAIRMAN WITTGRAF: I march for candor. In light of  
15 that, we'd be happy to let you begin in whatever sequence you  
16 have in mind.

17 PRESENTATIONS OF ADA SHEN-JAFFE, CHARLES DORSEY,  
18 JONATHAN ASHER, AND SHELDON ROODMAN

19 MS. SHEN-JAFFE: I've been delegated by my peers. I  
20 think it's because they knew I took the Red Eye and were  
21 afraid I would fade by about noon. They thought it best if I  
22 begin before I do that.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 I do want to make a couple of remarks in response to  
2 what Mr. Kirk said. That is that we welcome and appreciate  
3 very much the extended hand which is in the form, at least for  
4 today, of this invitation to come and talk about what is on  
5 the field's mind and what, from our perspective, are important  
6 issues that face you in your selection process, and the  
7 determination of appropriate criteria for president. We are  
8 grateful for the opportunity.

9 I would like to personally invite you to come and  
10 tour Evergreen Legal Services, if that would help in terms of  
11 getting you up to speed and giving you a sense of what a field  
12 program is like. We have every component funded, a migrant  
13 component, a native American project, and a basic field  
14 component, and state support.

15 So in one neat and tiny package, in a very short  
16 order of time, I can give you a lot of a kind of initiation  
17 information or orientation information. We would welcome you  
18 as our guest if your time and schedule, whatever, permits  
19 something like that. You'd be coming from the furthest  
20 corner.

21 CHAIRMAN WITTGRAF: Ada, let me interrupt you just a  
22 second, if I could. One of our Board members has joined us,

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 another of our Board members has joined us. These sumptuous  
2 surroundings hardly have room for six of us here, but we're  
3 going to make room for Penny Pullen.

4 Ada, go ahead. Thank you.

5 MS. SHEN-JAFFE: Also, by way of introductory  
6 comment, in Mr. Kirk's question, open question I think, about  
7 his search for an analogous organization or situation to which  
8 to compare Legal Services Corporation, early in my career in  
9 legal services, the analogy that was presented to me was the  
10 Corporation for Public Broadcasting.

11 The analogous situation that exists there is that  
12 there is a public trust. There is a common national mission.  
13 There is a strong desire to keep it independent of any  
14 political partisanship or ideology. I haven't heard of  
15 another analogy that fits, I think, quite as well. That might  
16 be useful to you, and you may embrace it or disregard it, but  
17 it is something that I think at least bears some thought.

18 I have three points to make. I've been designated  
19 to make these on behalf of all of us. My colleagues will fill  
20 in. Please feel free to interrupt me, as you always do. The  
21 three points that I want to talk about are the credibility  
22 issue in the process, and the selection, and the problem that

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 the hiring of a president that doesn't get selected through a  
2 credible process, or have the criteria, or qualifications that  
3 we think are important, the harm that it does to the field.

4 Let me just talk a little bit about the problem.  
5 The past three presidents of the Legal Services Corporation,  
6 for different reasons, have come and gone in a way which have  
7 made it very, very difficult for the field because it creates  
8 a huge amount of disruption to our ability to deliver client  
9 services when the agenda changes, when the approach of the  
10 president changes. As with any other organization when there  
11 is a degree of instability, it creates problems.

12 Clearly, it's something that doesn't just hurt the  
13 field. A lack of credibility hurts the Legal Services  
14 Corporation itself and the Board. I'm sure you're wrestling  
15 with that problem. That's why you've invited us here today  
16 and are engaging in this process. We think that's very, very  
17 important.

18 It also creates problems with the communities that  
19 we live in back at home. Legal services programs are very  
20 dependent on the goodwill and support of the local bar and  
21 community and client organizations. They have a great deal of  
22 difficulty understanding what's going on when they read what

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 they read and they hear what they hear about leadership at the  
2 Legal Services Corporation level.

3 MR. KIRK: "Read what they read," what do you mean?

4 MS. SHEN-JAFFE: Well, I don't want to get into  
5 specifics, but I certainly think that the circumstances of  
6 some of the earlier departures before your tenure on the Board  
7 have raised questions about competence, integrity. That is  
8 before the tenure of this -- I think probably any member of  
9 this particular Board. I think you --

10 CHAIRMAN WITTGRAF: Mr. Hall may be the one  
11 exception. If Mr. Wilkinson prevails, Mr. Hall and Mr. Uddo  
12 may be in charge of the Board alone.

13 MR. KIRK: Could we get Mr. Hall back up here?

14 MR. HALL: I'd rather watch you.

15 MR. KIRK: I'd feel much better.

16 MR. HALL: I'll back here with general counsel.

17 MS. SHEN-JAFFE: I think from the perspective of the  
18 legal community at large, the departure of at least two of the  
19 presidents raises some question about integrity, and their  
20 capability for the job, and whether or not they should have  
21 been hired for those jobs.

22 I'm characterizing what members of the private bar

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 have raised with me as questions. I prefer not to get into  
2 further detail. I think there's probably a more appropriate  
3 way for you to get the information directly from the  
4 Corporation, the Corporation staff.

5 I do think it harms the entire Legal Services  
6 Corporation, including us. I do see us as members of the same  
7 community and family.

8 The second point about the credibility of the  
9 process involves some suggestions that we have come up with,  
10 and we appreciate your consideration of. The first suggestion  
11 is that the process, as you consider it, be more open and that  
12 it allow for some participation and representation by  
13 representatives of the field, the mainstream bar, and client  
14 organizations and the client community.

15 I recognize that the Board itself is constituted of  
16 representatives of those constituencies, but it can't  
17 possibly, given its size and the role that you have as the  
18 policymakers and Board members, be broad reaching enough and  
19 deep enough. So my suggestion is that you reach out for  
20 advisory representation and participation in your process.

21 We also suggest that a job description be developed,  
22 which we would be delighted to help you with in the way of

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 suggestions or ideas. A side issue there is that the Board  
2 and the committee members be as forthright and honest as  
3 possible about whether there are any disqualifying features, a  
4 litmus test, political or ideological baggage that somebody  
5 might have or be perceived of having which would disqualify  
6 them.

7 I think that will make the process much faster. We  
8 won't be beating around the bush. We'll be getting right to  
9 what the qualifications are that the Board and the committee  
10 members want.

11 CHAIRMAN WITTGRAF: It sounds like the kind of thing  
12 we publish and just set ourselves up for yet one more loss. I  
13 understand what you're saying, but in this litigious climate,  
14 I'm glad.

15 MS. SHEN-JAFFE: I appreciate the problem. You can  
16 appreciate the other side of it, however, which is that if you  
17 hope to have an open and credible process, there has got to be  
18 some credible demonstration of it. It's very difficult for  
19 people to engage in a process which they don't perceive to be  
20 open and fair. You're going to end up with a process which  
21 is, at the outset, doomed not to be open or credible. So  
22 that's the danger. I'm glad I don't have to balance those two

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 factors.

2 The suggestion that you advertise to a very wide  
3 range of entities and communities, including minority bar  
4 leadership and minority bar association -- if you look at the  
5 profile, the demographic profile of our clients, not  
6 accidentally, disproportionate numbers of poor people are  
7 minority, are people with disabilities, and are people who  
8 have representation through other means than through the  
9 general community at large or the ABA.

10 So I think it's incumbent upon the Corporation  
11 Board, given its mission and who we represent, that you reach  
12 out to the broadest possible base that represents adequately  
13 the client population and community.

14 The fourth request is that you not do this in a  
15 hasty manner, that if you need to use an interim approach and  
16 hire someone on an interim basis in order to allow the process  
17 to be well thought out and open, and to take your time to do  
18 it right, I'm sure you can see the wisdom in that. You don't  
19 want to be here another 10 months down the line doing the same  
20 series of tasks, I'm sure. So I think that the community  
21 would understand if you took your time to do it well.

22 The third point is what are some of the criteria for

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 a credible person that we would suggest to you. The first is  
2 -- many of these, I hope, would be obvious. It needs to be  
3 somebody who has leadership ability. It's a very diverse  
4 community with a very wide range of interests.

5 Legal Services programs are charged with the duty of  
6 representing poor people who qualify by income guidelines.  
7 That means that we have a 360 degree range of people's  
8 problems. Poor women, poor children, disabled people, migrant  
9 workers, native Americans who are poor, you institutionalize  
10 people who are poor, there's nothing that escapes our  
11 obligation to serve.

12 We have to serve and balance the interest of 360  
13 degrees of need. That is a lot of constituencies and interest  
14 put together. Somebody needs to have strong leadership  
15 capability in order to do that, let alone to provide adequate  
16 leadership for the Board and to take the appropriate role as  
17 the chief executive officer.

18 The second criteria would be sensitivity to client  
19 issues and client problems. This needs to be someone who can  
20 roll his or her sleeves up and understand what clients are  
21 facing today, who understands the dynamic that is going on  
22 when, at least in my state in the past decade, the 1990 census

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 is going to show a 35 percent increase in the poverty  
2 population.

3 There are half the number of lawyers in legal  
4 services now to serve a greatly increased poverty population.  
5 That population has much, much more dire needs for help than  
6 they did 10 years ago because of the cuts in federal programs,  
7 and so on and so forth, the various holes in the safety net.

8 The third criteria that we suggest is a demonstrated  
9 commitment in support of the goals of the Legal Services  
10 Corporation Act and, as evidenced by professional, core  
11 employment activities, that there be some demonstrated  
12 commitment, not knowledge of, not familiarity with, a  
13 demonstrated commitment of activity and concern.

14 It doesn't need to be as the director or staff  
15 person or a leader in the legal services community. I know  
16 that's what Mr. Kirk expected, but I think most importantly is  
17 the leadership ability and familiarity with these issues  
18 because this person is going to need to be a bridge and an  
19 effective bridge. We acknowledge that the most effective  
20 bridge at this point in time might or might not be from the  
21 legal services community.

22 The fourth character quality would be integrity. I

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 think the person, in light of the history which is something  
2 that you now have to deal with but you are not responsible  
3 for, you have to pick a person of flawless integrity who has  
4 impeccable credentials. I don't think I need to say anything  
5 more about that. That is a very, very critical goal for you.

6 The fifth criteria would be demonstrated management  
7 and administrative skills. You're dealing with a very large  
8 budget, a national program, a very complicated delivery  
9 system. I have Board members, attorney Board members, on my  
10 Board who will sit on the Evergreen Board for four years and  
11 say that the learning curve -- to be an effective member of  
12 the Evergreen Board, given the LSC Regs Act, IOLTA grant  
13 requirements, and all of the other grant conditions, ethical  
14 rules and so on and so forth, that the learning curve for a  
15 Board member for the Evergreen Legal Services Board is a  
16 minimum of two years of hard labor.

17 If you magnify that to somebody who, at the national  
18 level, is trying to deal with providing the leadership and the  
19 support that the Board needs, which is a national Board, and  
20 300-plus programs, field programs around the country, and  
21 private bar initiatives, and so on and so forth, the person  
22 needs exquisite management and administrative ability, proven.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           It's certainly what our Board should require of us  
2 as leaders of our programs. I think it is what is required  
3 when we're hired. Certainly, the Legal Services Corporation  
4 Board should do no less.

5           Finally and lastly, I would say, is an ability to  
6 relate to the field. I think that somebody who has got the  
7 first five categories is going to be able to learn to relate  
8 to the field. We can do what's necessary to provide  
9 information and backup. The other constituency communities of  
10 the Legal Services Corporation community can fill in.

11           It is a factor. It's clearly something we would  
12 like to see its movement, that we would like to see continue.  
13 We appreciate the movement that's occurred so far.

14           I'll now turn over to my colleagues.

15           CHAIRMAN WITTGRAF: Thank you. Would you all like  
16 to raise some questions now or wait until these four --

17           MR. KIRK: I have a couple.

18           CHAIRMAN WITTGRAF: Sure.

19           MR. KIRK: Ms. Shen-Jaffe, you indicate the  
20 president has a big effect on legal services. I have to tell  
21 you that in my short time here, it seems to me that the  
22 president is largely ignored. This Board may have paper

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 authority, but not much reaction ever occurs in the field much  
2 to what goes on in the Board.

3 I mean, I just can't see at this point, with the  
4 situation that's existed in the short time I've been here,  
5 much in the way of response to the president. Tell me where  
6 I'm wrong.

7 MR. DORSEY: We probably have a number of different  
8 ideas on that, but go ahead, Jon.

9 MR. ASHER: There are two ways to look at that. One  
10 is historic when the Corporation has, in fact, provided a  
11 leadership and a great deal of influence in the direction of  
12 the program. The other is more towards term. This Board, in  
13 fact, has limited authority. I don't think it's any of your  
14 hopes or intention that that would be a matter into  
15 perpetuity.

16 You have to both look at that as a function of  
17 current restriction. It would be my hope that a new president  
18 would lead you into a position where there would be greater  
19 authority, greater potential, to work with programs to improve  
20 the quality of service delivered to the millions of poor  
21 people in the country.

22 MR. DORSEY: I'd say this. The more problem that

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 you have in the executive offices, the less problem you give  
2 us in the field. That's one way of looking at it. There are  
3 those of us in the field -- I'm going to be perfectly honest  
4 with you -- who feel that the Board has not done a good job in  
5 selecting presidents.

6 As a result of this, this increased the control that  
7 the Congress exercises over this Board. It decreases the  
8 confidence that the Congress has in the Legal Services  
9 Corporation. Over the short haul, it keeps you off of our  
10 back. It makes us more credible to Congress than this Board  
11 is.

12 So, you know, the selection of a bad president, over  
13 the long haul, does not do any of us any good. But, you know,  
14 it certainly does change the dynamics of what goes on in legal  
15 services if you do have a bad president. None of us here is  
16 suggesting -- everything that we have said indicates that you  
17 should take the time, go through the process as necessary to  
18 get an excellent president because that is what this effort  
19 needs.

20 CHAIRMAN WITTGRAF: Mr. Kirk?

21 MR. KIRK: Could I just bait you for a moment?

22 MR. DORSEY: Sure.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. KIRK: I don't mean it as that, but I want to  
2 tell you what I might be hearing. You correct me. If you  
3 don't select a president that we like, then we're going to  
4 ignore him. We're going to litigate with him. We're not  
5 going to do what he wants.

6 We're just going to go above you to Congress, and  
7 you guys can go straight and do whatever you want to do and  
8 forget it. I mean, we're in control because we've got  
9 Congress. Now, if that's what I'm hearing -- that's what one  
10 interpretation could be of what you said.

11 MR. DORSEY: It certainly is. What I say you is  
12 that it has nothing to do with liking. It has to do with  
13 respect. It has to do with the willingness of the president  
14 of this Board of the Corporation to listen to us in the field.  
15 Now, I've been doing this work for 22 years. I live in  
16 Baltimore, 35 miles from D.C. I stay away from D.C. as much  
17 as I possibly can because I don't think that anything very  
18 realistic happens in the District of Columbia.

19 But in my 22 years, my message has been you have got  
20 to listen to us in the field. I mean, this country is too  
21 diverse. Programs are so different that you cannot go lock  
22 step and say this is the way it's got to be done. Starting

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 from the first president of this Board, Tom Earlish, we've had  
2 a battle saying listen to us before you make these decisions  
3 in D.C.

4 It's doesn't have anything to do with liking. We  
5 have been forced to do it. Over the years, we've fought with  
6 Tom Earlish, and the attitude of the Corporation was we  
7 generate this money; therefore, we call the tune. Our  
8 position was that -- and this goes back to the question that  
9 you asked. What is this analogous to? Maybe Ada has struck  
10 on what this is analogous to.

11 But I'll tell you this, what it is not. We're not a  
12 wholly-owned subsidiary of the Legal Services Corporation.  
13 We're not. I say that our role in field programs is to serve  
14 clients. Your role, and the role as set down by Congress, is  
15 to help us serve those clients. It's true that you have a  
16 regulatory function, but I say the function of the Corporation  
17 is to help us serve clients.

18 It's interesting that you talked about sophomoric  
19 questions. Sophomoric comes from two Greek words meaning wise  
20 idiots. Maybe we at Legal Services are wise idiots; first of  
21 all because we believe that justice is something that's  
22 important to people in this country.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           Maybe we're idiots to think that it's something that  
2 is easily brought about. I don't think it is. It's always a  
3 struggle. We are family because we are involved in the  
4 struggle.

5           MR. KIRK: Charles, the wise fool analogy was  
6 directed to my questions not yours.

7           MR. DORSEY: Well, I'm saying it applies to me too.

8           MR. KIRK: What I have not heard from you and what  
9 distresses me a lot is that you would ever listen to  
10 Washington unless they tell you what you want to hear. You  
11 said you won't go there because you don't believe in them.  
12 You said when are they going to listen to me. Unless there's  
13 some reciprocal thought that hey, maybe they have something to  
14 say, then I think we'll be locked in an ideological struggle  
15 or at least some sort of functional struggle between  
16 Washington and the field.

17           You know, what I have not heard from you is yes, we  
18 want to work with you. I hear you drawing a line and saying  
19 come our way. If that's what it is, you know, maybe I ought  
20 to resign and maybe they ought to just let you guys do with  
21 the money what you want because I see no concession that we  
22 have a function.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           MR. DORSEY: I think you misunderstand me, Bud.  
2 What I'm saying is that from the very outset we've said that  
3 you've got to listen to us. We were more successful at the  
4 start. I remember the day -- I mean, you take the  
5 organization of the Project Advisory Group which goes back  
6 before the Corporation was established. I mean, this was a  
7 way of getting field input to making decisions.

8           What I say, bottom line, is listen to us before you  
9 make your decisions. That is what I'm saying. I'm saying  
10 that there was a time when the Corporation listened, when we  
11 had the ability to work with the president, with the Board,  
12 with the staff. Together we were able to move this program  
13 forward.

14           There came a time when neither the Board nor the  
15 staff nor the president was anxious to listen to us. As a  
16 matter of fact, they disregarded everything that we had to  
17 say. That meant that we had to speak to the Congress or to  
18 the courts because that was the only way that we could get the  
19 Corporation to listen to us. That's what I'm saying.

20           MR. ASHER: I have a different reflection. Maybe  
21 it's helpful. I don't want this to sound for us to be  
22 defensive because I think this is an honest effort to explore

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 how we really move together as a community. I wouldn't be  
2 here if I didn't think that was an honest effort.

3 I think where Charlie started was that disagreements  
4 over the complex issue of how to best deliver legal services  
5 with very limited resources is not new. It's not an issue  
6 that started a year ago, or ten years ago, or twenty years  
7 ago. Those of us who have labored hard and long, at least I  
8 find, it gets more complex not less.

9 You would think that after the number of years, I  
10 would find it easier. I just find the challenge is more  
11 difficult. That doesn't mean it's not worth doing. That  
12 doesn't mean that we don't, together, engage in a mutual  
13 discussion and honest disagreements about what you do with  
14 scarce resources and how to best serve clients.

15 It does mean, though, that even in the old days  
16 there were honest disagreements and some tensions. I think  
17 Washington does set a tone and does set a direction nationally  
18 and with Congress for the direction of legal services, and  
19 influences the program.

20 When that has been more of a partnership, there has  
21 been more honest exploration of alternatives. When that has  
22 been more adversarial, I think programs have tended to walk in

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 lock step because of a common enemy. I've shared this with my  
2 colleagues.

3 I think that poor people have not been well served  
4 by our defending the least and the most and the best and the  
5 worst. But the issue should not be as legal services is it  
6 good, is it bad? Do you care more? Do we care? Should it be  
7 reigned in? But the issues ought to be what is quality legal  
8 services?

9 What are we talking about? What do we mean by  
10 leadership and an open and honest relationship where we can  
11 honestly debate those difficult issues knowing your role is  
12 the ultimately set policy, to distribute money and for us to  
13 comply with your regulatory authority, but also knowing that  
14 the act contemplates a good deal of local autonomy, priority  
15 setting by clients and bar-appointed representatives who are  
16 responsible for the policy of local recipients.

17 How do we, in a trusting relationship, move towards  
18 less sort of rhetorical and more open and honest debate about  
19 how we have high quality service and what does that really  
20 mean. We throw it around a lot. We all believe in it, but  
21 it's the discussion of what that really means to all of us  
22 that gets difficult.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           CHAIRMAN WITTGRAF: I'm thinking maybe we ought to  
2 go back and let everybody talk one more time so we'll have  
3 time.

4           MS. LOVE: I might not say it in you all's terms but  
5 I think that the Board, this new Board, is labeled kind of  
6 wrong because I think that we really have made some progress.  
7 We go to the field. The past president that's getting ready  
8 to resign, he visited the field.

9           Maybe I would be more qualified because I know how  
10 poor people are. It's not just the color of me. There's a  
11 lot of poor people out there that's suffering, need help. The  
12 bickering between this one, this one, that one, and with us is  
13 very unfair.

14           If everybody worked together, we could really  
15 accomplish something. I have to live with myself and God.  
16 When I'm gone, I will have made the right decision sitting on  
17 this Board. No member can influence me on my decision, and I  
18 do know that one vote can make a difference.

19           CHAIRMAN WITTGRAF: Thank you, Joe. Why don't we go  
20 back to kind of what you've got in mind? Then we can have a  
21 pretty free-wheeling discussion.

22           MR. DORSEY: Secondly, I want to talk about a

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 process which took place in 1979 when we together undertook to  
2 select a second president. The process for selecting the  
3 first president of the Corporation was not a very happy  
4 process. There was an attempt to involve the field in that  
5 process. Looking back at those documents back in 1975, the  
6 field was not very happy about what took place.

7 In 1978, there was an attempt once again to select a  
8 president of the Corporation. The Board then decided that  
9 there should be field input in that process. There were a  
10 number of people from the field, from the private bar. As I  
11 recall, I was the chair of the Project Advisory Group at that  
12 time, and I served as a representative from the field.

13 A fellow by the name of Tom Johnson from Illinois,  
14 he was the ABA representative. There was Lyle Jones who was  
15 representing possibly NLADA, probably also the National Bar  
16 Association. There was a representative of the client  
17 community. There was a representative from the National  
18 Client's Council. We were involved in the process from the  
19 very beginning, starting with the screening of applicants.

20 I think that that is important because -- we have  
21 spoken about a litmus test. There is a litmus test that is  
22 applied at the screening process. But we were involved from

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 screening all the way through to the vote on who that  
2 president should be.

3 We were involved in determining which people should  
4 be thrown out, which people should be interviewed. We were  
5 involved in the face-to-face interviewing process. The only  
6 thing --

7 MR. KIRK: Can I interrupt? Can you explain to me  
8 how you were involved? I mean, did you vote?

9 MR. DORSEY: Well, everybody got a list of who the  
10 applicants were and sort of a synopsis of what their  
11 experience had been. We sat around and we talked about the  
12 people and we talked about their paper credentials and decided  
13 which ones should not be interviewed, which ones should be  
14 interviewed.

15 I guess back then in those days we did not -- there  
16 probably were not people from the field who applied.

17 MR. DANA: Charlie, you're suggesting that or  
18 somebody sitting here might conclude that you selected the  
19 president.

20 MR. DORSEY: No.

21 MR. DANA: Was the Board involved in this process?

22 MR. DORSEY: The Board was involved.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           MR. DANA:   How were the outsiders and the  
2 Board -- what role did they play?

3           MR. DORSEY:   We met as a committee as a whole,  
4 really all the Board and all of the outside people.  I was  
5 able to ask questions just as any Board member was able to ask  
6 questions.  The only thing that we did not do was to vote.  We  
7 had a voice.  We were able to talk about the weak points, the  
8 strong points.

9           The only thing that we did not do was to vote  
10 ultimately on who the president should be.  I don't know  
11 whether that is something that could work, but that process  
12 did have the credibility of the field because the field felt  
13 that it was an open process, that it was a process which was  
14 fair to everybody involved.

15           Whether a person should have field experience in a  
16 legal services program is something that is a matter of  
17 debate.  I don't know whether the four of us would agree that  
18 it should be a person from the field.  I think that we all  
19 agree that that should not be a disqualifying factor of the  
20 things that we should look at.

21           But from the very beginning of the process through  
22 the end we were sworn to secrecy as to who the applicants

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 were, because there were some people there who were occupying  
2 positions of authority, some positions of prestige, and they  
3 did not want it known that they were looking at this as a  
4 possibility.

5 We were under a gag rule as far as personal things  
6 that came out in the discussions. But I think it worked  
7 because, number one, there was a trust which existed between  
8 the Board and us. There was a trust which existed between the  
9 field and us and the Board.

10 I don't know whether that is something that this  
11 Board would even consider, but it's one way that it was done.  
12 The president was selected. He had, I think, the instant  
13 trust. He at least had the presumption of trust which I think  
14 an open process brings about, rather than a president coming  
15 on board with questions about whether the process were tainted  
16 or not.

17 I bring that to your attention. That's one way that  
18 it was done, which I think reached some success.

19 MR. WITTGRAF: Mr. Dana?

20 MR. DANA: Comparing that Board with this Board, we  
21 are a recess Board, maybe even a legal recess Board. It seems  
22 to me that it might be difficult in that context to have,

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 while we are going through this terminable confirmation dance,  
2 to meet with an advisory committee sort of in the way that you  
3 might meet in an Executive Session. I just throw that out.  
4 It's a problem.

5 MR. DORSEY: I understand that.

6 CHAIRMAN WITTGRAF: Ms. Love?

7 MS. LOVE: Did any of you submit resumes the last  
8 time when we were trying to find a president from the field?

9 MR. DORSEY: I didn't.

10 CHAIRMAN WITTGRAF: I believe the record will  
11 indicate none of them did.

12 MS. LOVE: I don't think so. Now, I can understand  
13 a person from the field, which they should put their  
14 application in or resume or send or do the works. Mr.  
15 McKnight over here is a good example that you can do a good  
16 job. I met him in Mississippi.

17 I went immediately after being on the Board to visit  
18 my home state. So I do know. But if you think the way you're  
19 thinking, why didn't you put in for one of you four being  
20 president of the Legal Services if you're qualified? I feel  
21 like there are a lot of them that is qualified out there in  
22 the field. I understand, but maybe the rest of the Board

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 members don't. Why didn't you? This is what I don't  
2 understand.

3 MR. ROODMAN: Well, I'll try to answer part of that.  
4 I think creating an environment of goodwill is essential for  
5 you to elicit applications from experienced people in the  
6 field. Going back to Bud's question, my response would be the  
7 analogy is a significant part, like a partnership, between the  
8 programs and the Board.

9 Usually a partnership does not move forward unless  
10 you have majority support. So what you, the Board, and us  
11 should try to do is gain majority support for any new  
12 initiatives. In the principles that the Chair enunciated at  
13 the beginning, I share agreement.

14 I think many of the field share agreement with at  
15 least four principles: increase funding, accountability is  
16 important, more bang for the buck, kick start weak projects.  
17 There is not disagreement among all of those principles. So  
18 what we need to work together is to find some initiatives  
19 where we together support them.

20 I think that's the important point of a new chief  
21 executive officer. Start with an initiative that somebody has  
22 the force of intellect, the force of character, to gain the

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 support of the majority of the field, not 100 percent, that's  
2 impossible, but a majority.

3 As a partnership, we should be able to work together  
4 to improve what all of us have spent a significant part of our  
5 professional lives. We think we've built a very important  
6 institution in terms of the justice system in America. So we  
7 do care about this system. Therefore, we react to something  
8 that we think will not improve the system.

9 Well, I think there's plenty of room for us to find  
10 initiatives that a majority think are sound. I would suggest  
11 that the first initiative, somebody that the chief executive  
12 select, is one that there is majority support and then build  
13 on that, and then move on to the next.

14 Don't start with something that's going to have the  
15 support of three percent of the field. You're not going to  
16 build on a partnership. So I think it's very important, any  
17 initiatives in Congress, changes in our legislation, new  
18 regulations, need to be done by building the groundswell of  
19 majority support.

20 CHAIRMAN WITTGRAF: Anybody else want to tell us  
21 they didn't apply to be president?

22 MR. ASHER: Some of that is a very personal

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 question. Part of that I think is because I don't think I  
2 finished the work in Colorado, either in making the Denver  
3 program as good as it should be or in making the services we  
4 provide in Colorado quite what it should be.

5 I believe there were program directors who did apply  
6 who I have worked with for years who I think were very  
7 credible candidates and therefore provided those options. It  
8 is not a job that has had a great deal of tenure security, and  
9 it's not an easy job.

10 But I think it's very unfair to a professional wife  
11 and kids to move to a place with a high cost of living with  
12 such little job security and without, I think yet, a consensus  
13 of partnership between the president and the Board. But I  
14 must admit that in a perverse moment it is a challenge  
15 professionally, personally, morally, that I think does have  
16 some appeal.

17 I think that somebody committed to legal services  
18 would be challenged to lead this Board towards a more unified  
19 position on what the Corporation ought to be in this country  
20 and what high quality services for the poor. I'm not so naive  
21 or egocentric to think that's a challenge that I would meet.  
22 But it is a challenge that has a great deal of professional,

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 intellectual, and moral appeal.

2 I think this Board is entitled to strong, principled  
3 leadership that brings with it what I think the best of a  
4 professional operating officer and a policymaking Board ought  
5 to be. That's high quality information and data and some  
6 analysis from which to make difficult decisions, principled  
7 standards to hold the Board to as best as possible in making  
8 decisions, to follow when there are minor disagreements over  
9 principle, and to stand firm when there are major  
10 philosophical issues, and to know yourself well enough to know  
11 what those lines ought to be.

12 They aren't defining. They sometimes get mushed.  
13 I'm not saying that those are easy lines to draw. They  
14 certainly are not. But in listening to debate and dialogue,  
15 this Board deals with issues of minor consequence and  
16 sometimes spends too much time on it.

17 There are times when there are major philosophical  
18 issues that I don't think get hashed out based on good enough  
19 data or information that I've seen. That's true of our Board.  
20 So I did not apply. It is unlikely or almost certain that I  
21 would not apply this time. But I think it's a very  
22 challenging position.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           Now, I would say that I'd be somewhat suspect of  
2 somebody who really wanted the job. I'm not sure this Board  
3 ought to seek out somebody who isn't really anxious to walk  
4 into a lion's den, but who has the credibility and the stature  
5 of a law school dean, a former judge, somebody who has been a  
6 university president, somebody who has credibility but  
7 knowledge of legal services. I'll get back to that in a  
8 second.

9           Somebody who comes in without baggage from any  
10 particular philosophical bend but who has worked for and with  
11 a policymaking Board, which is not easy to learn, I don't  
12 think, and working out the role of a Board to set policy and  
13 the role of an administrator to administer that policy, the  
14 role of a Board to set policy but not to muck around or run  
15 the day-to-day operations of an organization. That's not  
16 easy.

17           You want somebody with a good deal of compassion  
18 about the issues, but somebody who can walk into programs,  
19 walk into Board meetings, go up on the Hill with a good deal  
20 of credibility. I'm not sure that's somebody who really wants  
21 it.

22           It seems to me that somebody would want the job for

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 one of -- would really want the job, not my sort of seeing it  
2 as a challenge but the superficial reasons might be the  
3 salary, might be power, might be ideological idea about the  
4 future direction of the Corporation. I'd be suspect of  
5 anybody who wants it for those reasons.

6 What you want is somebody who believes it's an  
7 important challenge to work and to lead this Board, and who  
8 has the integrity to have principled positions and then to  
9 follow or to draw the line, and that it's one where I think  
10 even the history, you have a fairly short learning curve.

11 I think it is somebody who you need to know is  
12 either a real quick study or somebody who does have a good  
13 deal of knowledge and familiarity about legal services and  
14 believes a good deal in that. We have had a history, I think,  
15 of presidents who either have known very little about legal  
16 services and have tried to learn that, but have not had enough  
17 time to do it, and you've had a price for that learning curve,  
18 or people who have known something but who have had very  
19 strong feelings, too strong feelings possibly, about the  
20 direction.

21 I think that you need to not look solely to those of  
22 us at the table or those of us in the field, but neither

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 exclude from consideration people who have demonstrated a  
2 commitment, competency, and integrity in providing legal  
3 services, but also seek out the sort of person who you think  
4 will bring credibility and the right sort of skills to this  
5 job.

6 CHAIRMAN WITTGRAF: Charlie or Ada, if either of you  
7 applied, go ahead. Charlie, you didn't want to get inside the  
8 Beltway. You made that clear earlier. That's easy to  
9 understand. You're close enough without being too close.

10 MR. DORSEY: Well, George, you know, really I do not  
11 think that this Board would be interested in me as president  
12 of this Corporation, number one.

13 MS. LOVE: How do you know?

14 MR. DORSEY: We're talking about feelings now. That  
15 was my honest feeling, that if I applied, I would not get a  
16 fair shake. That is, even if this was a job that I wanted to  
17 do, I think that until we think through what is the  
18 Corporation's role, that sort of thing, it might be an  
19 impossible thing to do. It might be impossible to be  
20 president of this Corporation.

21 The other thing is I don't know whether this is  
22 something that I would want to do. I really don't.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           CHAIRMAN WITTGRAF: At least you wouldn't have to  
2 worry about the relocation problems that Jon referred to.

3           Ada, did you want to add something?

4           MS. SHEN-JAFFE: I wanted to just respond to two  
5 things. The first is the question about application for the  
6 job last time. The second is some of Bud's comments about  
7 what the harm is and some of the issues he talked about  
8 earlier.

9           To be perfectly frank, I saw applying for the  
10 position as a totally feudal gesture, a waste of the postage  
11 stamp and the paper. I had absolutely no reason to believe,  
12 either based on the job specifications, which if you go back  
13 and read them in the context of my earlier comments about the  
14 qualifications that I believe the Board needs to look for, the  
15 job description was utterly meaningless, seven years of  
16 experience, very, very general and calculated to get 500  
17 responses from anybody as far as I could tell.

18           I would never put out a job description like that  
19 for any position for which I was hiring at Evergreen. It  
20 would be wasteful of my time and resources to have to call  
21 through the response that you get from such an elephant-gun  
22 approach to getting what you want.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           So I think that the lack of clarity and the lack of  
2           specificity of criteria, what you were looking for, the  
3           Board's directive to this person for what they were charged to  
4           do was absolutely unclear. I don't see the reason to respond  
5           to an application which is so poorly thought out by the body  
6           that's sending it out.

7           So I think it did a disservice to the community in  
8           the process by not being better thought out and more  
9           articulate and specific. I won't get into personal issues  
10          and, you know, all of the personal baggage that we have  
11          because I think that's irrelevant. We're here.

12          I appreciate very much being here. I wouldn't have  
13          missed it for the world, but I don't know why I'm here and it  
14          isn't, you know, 15 other very well qualified, articulate  
15          people in my community and my peer group who have far better  
16          leadership qualities than I've been able to evidence in my  
17          brief career here.

18          CHAIRMAN WITTGRAF: Let me respond to that. Bud and  
19          I have visited about that some. I don't know that I've really  
20          visited with any of the other Board members about that.  
21          Purely arbitrary on my part. Representing some diversity and  
22          reflection, I'm a little bit concerned that we have a group

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 that doesn't really serve rural areas much. As all of you  
2 said at different --

3 MS. SHEN-JAFFE: We're entirely rural. So you don't  
4 have that problem.

5 CHAIRMAN WITTGRAF: Jon, you took one of those fancy  
6 downtown offices and skewed my thinking.

7 MS. SHEN-JAFFE: But my point is made. That is that  
8 it doesn't matter why for individual reasons he didn't apply  
9 or I would or wouldn't apply. There is a wealth of talent  
10 there.

11 CHAIRMAN WITTGRAF: Excuse me, Ada. Let me go just  
12 one moment on my point. It's purely arbitrary on my part. I  
13 think Bud and I have talked a little bit about Sheldon because  
14 he had been good enough to visit with several of us in the  
15 context of a hearing on April 19th here in Chicago. If you  
16 don't mind my saying this, we like Sheldon. I don't mean to  
17 damn you by saying that.

18 MR. ROODMAN: There it goes, 25 years.

19 MR. KIRK: It's as Mr. Dorsey said, it's not whether  
20 I like it, it's respect.

21 CHAIRMAN WITTGRAF: One other thought that's in my  
22 mind is one that Joe actually touched on with no prompting

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 from me. I was sure that none of you had applied last time  
2 and didn't want to cloud anything you might be saying by your  
3 having thrown your hats in the ring before, which is certainly  
4 not to chill the possibility of any of you throwing your hats  
5 in the ring in the future, but purely arbitrary.

6 Ada, I had never met you before. I've met Sheldon  
7 just briefly. Charlie and I think maybe met for the first  
8 time in Atlanta during a bar meeting. Jon and I met once a  
9 year and a half ago, and then he was out host in Denver last  
10 September.

11 So it's arbitrary, but hopefully with some bit of  
12 cross sample of community. I cut you off. Maybe you want to  
13 finish and then I'm hoping that you can finish your remarks. I  
14 think actually some of us are going to have some things we're  
15 going to want to say and ask you about too before we lose all  
16 of our time.

17 MS. SHEN-JAFFE: This will be very, very brief. I  
18 did want to address Bud's question about what exactly is the  
19 harm when there's a lack of credibility at the president's  
20 level because it doesn't seem to you in your brief time that  
21 the president has been able to get a whole lot of response  
22 from the field.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 I've tried to use some specific examples, but I  
2 think that at the ABA midyear meeting the president made a  
3 presentation to a room full of national bar presidents and was  
4 extremely poorly received because his topic was and what he  
5 spoke about was the fact that he hadn't had an opportunity to  
6 do his own study on unmet legal needs and wasn't really sure  
7 what they were or if they were.

8 This is to a group of bar leaders, some of whom have  
9 spent 20, 25, years know there is unmet legal needs out there,  
10 don't want to be told by somebody at this very superficial  
11 level that until he determines by his own data collection  
12 process that there is a need that he's going to move on that.

13 He was very, very badly received. What is the  
14 fallout from that? The ABA midyear happened to be in Seattle,  
15 so I heard a lot about this. The president of all my local  
16 bars were there. The president of the Washington State Bar  
17 was there. Numerous other law-related organization directors  
18 and leaders were there.

19 The problem when there's that credibility gap, and  
20 they say this is the person who is change of the Legal  
21 Services Corporation. What must your Board be thinking? This  
22 is your primary funding source. As far as we can see it's

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 hostile towards you because it's been gauged entirely in  
2 regulatory and monitoring activities against you for the last  
3 24, 26, months and drained the program of tremendous amount of  
4 resources.

5 That puts the program in a schizophrenic  
6 relationship with it's major funding source, which I can  
7 assure you is very costly, very debilitating. It puts the  
8 bar, as a primary supporter of the program, since they have  
9 to, by the LSC reg, appoint my Board members who are lawyers  
10 in a very difficult position.

11 Do they support the Legal Services Corporation or  
12 don't they? Should they or shouldn't they? They support  
13 Evergreen, but they don't like the Corporation. It's a  
14 dynamic which is not helpful. I've got to put out all these  
15 fires at the local level. That's the best that I can do in  
16 terms of the damage that it does from my perspective, with  
17 specific example.

18 The bigger point that I want to make is that from  
19 the -- now I'm wearing my field hat entirely. From the  
20 field's perspective -- and I also wear my Board's hat. You  
21 can check with my Board members. The Board's perspective and  
22 the field's perspective of LSC in the last 10 years, maybe 8

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 years, is that in that delicate balance --

2           If we had a see-saw and we were trying to balance  
3 it, and on this end of the scale you had regulatory functions,  
4 compliance, accountability functions, all of which I welcome  
5 and embrace, I welcome every opportunity to prove that the  
6 public trust is well placed in our hands. If it isn't, it  
7 should be placed somewhere else.

8           I welcome it. I want to publicly say that I welcome  
9 it. Every member of my Board welcomes it. But there is  
10 another balancing piece to the regulatory accountability  
11 piece, compliance piece. That is the partnership or what's  
12 called or used to be called in the old days technical  
13 assistance.

14           That's the way to say it to the three legal services  
15 programs in Washington who have been struggling for five years  
16 with consolidation issues. Would it be more efficient and  
17 effective not to do three refunding applications? The staffs  
18 get along. The Boards get along. There are economies of scale  
19 which we could realize.

20           The single greatest hurdle or barrier has been the  
21 Corporation won't approve it. They'll use it as a wedge to  
22 get competitive bidding in here. I mean, all of those kind of

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 counterproductive things because nothing helpful is coming  
2 back from our perspective from the Corporation in the way of  
3 technical assistance.

4 This is what the Corporation would require for an  
5 effective consolidation move. These are the criteria.  
6 Nothing, I mean no assistance, to the contrary every message  
7 in the opposite direction, which keeps us from doing  
8 something.

9 It happened because the conversations are going on  
10 and the deliberations are going on. We're stubborn out there  
11 in the northwest. We just keep on doing what we think we  
12 should keep on doing. Sometimes it gets us in trouble, and  
13 sometimes it doesn't. But that's an example.

14 I think my Board -- and I see the last eight years  
15 or so as the scales being tipped so that there's 100 percent  
16 of the Legal Services Corporation's intent, resources, efforts  
17 on the regulatory compliance side and not even a portion of  
18 one percent of effort on technical assistance and help on  
19 constructive ideas and agendas.

20 I would clarify Sheldon's comment from my own  
21 perspective to say I don't expect you to ask for even  
22 consensus from the field on regulatory issues. That's not our

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643  
WASHINGTON, D.C. 20005  
(202) 628-2121

1 role. Your role is to determine how the programs in the field  
2 are best to be regulated. You're foolish not to try to  
3 inquire and be educated about how we do things, why we do  
4 things the way we do them, and to deliberate on that.

5 But your role is to regulate. That's one of your  
6 roles. The problem is that if that's all you do and there's  
7 never this other piece, which is what I see -- I can just tell  
8 you that I see a balance that's been like this and nothing  
9 coming on the other side -- then the response of the field  
10 that you're concerned about -- and this going to Congress or  
11 if we don't like what the Corporation is doing, our response  
12 is maybe recalcitrant or digging in our heels -- it's nothing  
13 we're doing by choice.

14 It's something that the field ends up doing because  
15 out of desperation. It's not getting assistance to do its  
16 job. It's getting 100 percent effort on regulation and  
17 compliance, no requests for education or explanation or help  
18 in understanding why we do things the way we do.

19 Any rational organization or person would respond  
20 the way the field has responded for the last eight years.  
21 It's not because we choose to do it this way. I'd much prefer  
22 to sit down with you, give you my input, and have you make

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 determinations which are fair, well-considered. I don't know  
2 if that answers your question.

3 MR. KIRK: I think that's a crucial thing. I'm not  
4 allowed to comment now, but when I get to it, I will.

5 MR. WITTGRAF: If you feel that strongly about  
6 it --

7 MR. KIRK: He's exactly right. We need to get  
8 through these. In fact, I'd go on forever.

9 MR. WITTGRAF: Jon and Sheldon, you may have some  
10 things you want to say yet.

11 MR. ROODMAN: I'd like to answer your questions  
12 myself.

13 MR. ASHER: I mean, we are your guests, and it's  
14 much more important to get your questions. Let me say I think  
15 there are some specific issues where it might be helpful for  
16 you to decide whether you're looking for a quick fix in sort  
17 of a short term, although not interim president, or whether  
18 you're willing, despite being recess appointments, looking at  
19 a more long-term deliberative process for somebody who may  
20 succeed. That's just an issue you need fairly early on.

21 Let me just say that I wish I could be as forceful  
22 as Charlie that Washington doesn't impact my life. I can

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 think of a couple of days in the last 20 years when it hasn't  
2 but not an awful lot from issues around refunding, and  
3 requests for information, and reports on this, and  
4 requirements on private attorney involvement, and how that  
5 gets prepared and submitted to bars, to not the priorities we  
6 set but the priority-setting process, and matters of Board  
7 appointments, and filling Board vacancies in a way that  
8 sometimes drives our best friends locally, bar associations,  
9 community groups.

10 We say well, we've got to have it for Washington.  
11 They say well, we don't have a Board meeting, whatever. I  
12 think over the past year a commitment to reducing paperwork,  
13 to diffusing hostile monitoring -- now, David and I sometimes  
14 debated whether he wanted to do it to really help us or  
15 because he didn't really want to read it.

16 But I honestly don't care. It was a help. There  
17 have been horror stories around monitoring but fewer than five  
18 years ago, four years ago. We made exceptions to that  
19 represented here. It is still a huge amount of time not  
20 always directed towards improving service.

21 I know, and I don't want to stay away from your  
22 questions, but I have a 15 year old and a 10 year old and

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 their barometer of my behavior is based on monitoring. I  
2 mean, they will say, you know, you're really being weird, not  
3 during monitoring, but you're really weird, I mean the three  
4 or four times when I go completely bonkers.

5 You're in the office 20 hours a day. You have a  
6 line of people outside of your office waiting first to drill  
7 you about Board composition, private attorney involvement,  
8 priority setting. You need -- and it's mostly us, not staff--  
9 - that you have to produce documents unapproved full of class  
10 actions, on appeals, all of which are legitimate regulatory  
11 and compliance issues that can be dealt by paperwork, that  
12 don't require seven people in our office for five days, where  
13 there is a sense not of trying to improve performance, not  
14 where the issue is what's the quality of the work you're  
15 doing?

16 I mean, I've said it many times to people. If we  
17 have a citizenship form and an intake form and a case closing  
18 form, we could malpractice every client we represent and  
19 nobody would really care or find out, as long as the paperwork  
20 is done perfectly.

21 Well, I think there has to be a greater partnership  
22 at looking at the quality of work, although I've got to be

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 honest, sometimes I think the people who have been out there  
2 better they just looked at the paperwork. But I think we  
3 should continue to reduce some of the more onerous  
4 requirements and to focus more and more of our time on the  
5 issues of quality and effectiveness and efficiency. I think  
6 that that can be done and can continue.

7 MR. WITTGRAF: Did I understand you to acknowledge  
8 at the beginning, Jon, that some steps had been made in that  
9 direction for the last year?

10 MR. ASHER: Yes, but not enough steps, but steps  
11 have been made. Part of the reason the steps -- I don't think  
12 of -- I mean, that is because of the learning curve. I mean,  
13 you can't fix things until you know things.

14 MR. WITTGRAF: Sheldon?

15 MR. ROODMAN: No. I'd be happy to answer questions.  
16 I think we've taken a lot of time.

17 MR. WITTGRAF: Let's do this. Do you want to work  
18 through lunch? Lunch is ready, Pat Batie says. Why doesn't  
19 everybody who wants some lunch, get some lunch as quickly as  
20 possible or find some place for personal convenience. Then in  
21 just about five or ten minutes, we'll pick up as we eat, if  
22 you all don't mind.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121



1 Try to keep in mind that I think that we as a Board and a  
2 Corporation are looking both for a way to show the Congress as  
3 well as ourselves that we're getting insofar as possible the  
4 most bang for the buck, and also being able to use it to get a  
5 sense of who needs to be kick started. Who needs to be moved  
6 up route?

7 To varying degrees, and you all may want to share  
8 with us what you all are doing right now -- I know when we  
9 were in Denver last September, Jon did talk a little bit about  
10 what his program does. But tell us how best you think, and  
11 this is relevant because these are key political issues still,  
12 as they have been for several years, but I think it's relevant  
13 too because as we visit with perspective presidents, either  
14 prior to their selection or after their selection, we, as a  
15 Board, who have a hard time agreeing, just like you as project  
16 directors sometimes, we, as a Board, need to be giving  
17 guidance to perspective presidents and to a hired president  
18 than as to what it is that we're trying to accomplish and how  
19 best to accomplish it.

20 So, we want to be accountable. We want to help make  
21 you accountable. We want to know who is doing well, who is  
22 not doing quite so well so we can help them or move them out.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 What are you doing now, and how do we lay that across the  
2 field as a whole?

3 I hear you, Charlie. I'm to the extent that we  
4 don't want everybody in lock step, but we would like some  
5 ways, some common denominators, some common basis for  
6 evaluation and accountability. That's a question, believe it  
7 or not. Somebody go ahead.

8 MR. ASHER: I think that the program, sort of in  
9 lock step, proposes a national monolithic system of  
10 timekeeping no matter what and in all forms. That's not  
11 really my perception. We've kept time records,  
12 contemporaneous time records, by case handlers in Denver now  
13 for 8, 9, 10 years.

14 I would not attempt to manage a program without  
15 doing it, although I have very well-respected colleagues who  
16 disagree with that. I also am not prepared to tell you that  
17 I'm sure it's cost effective to do so, only that I wouldn't  
18 try to manage without them.

19 But it does, both in terms of data entry, time of  
20 case handlers, and processing, and the like, it does take  
21 time, money, paper, and the like. But what I would start with  
22 is that I still, and maybe you can educate me, I think we're

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 mixing apples and oranges.

2           You talk about quality and accountability. That's  
3 fine. Timekeeping is one relatively narrow, sometimes  
4 meaningless, management tool. It's one of maybe 5, 6, or 10  
5 that I look at every month. It's not more important than  
6 looking at our monthly financial statement. It's not more  
7 important than looking at open and closed cases. It's  
8 certainly not any more important than annual evaluations of  
9 case-handling staff to really look at whether they're growing  
10 and developing as lawyers.

11           The debate has somehow gotten off in a great deal of  
12 symbolism and rhetoric about one relatively minor and not  
13 terribly disclosing management tool that I think is important  
14 but not more than it really is.

15           MR. WITTGRAF: Broaden the question, then. Use the  
16 euphemism recordkeeping, perhaps, or management tools. What's  
17 the best technique or the best mode?

18           MR. ASHER: First, you said you need something to  
19 help jump start programs. I don't think anybody here  
20 disagrees with that. What the disagreement may be is, one,  
21 who needs to be kick started? Two, what are the criteria by  
22 which you make that judgment? Is it that you are averaging 40

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 hours per divorce as opposed to a program in Des Moines that's  
2 averaging 20 hours a divorce? Is that what you're going to  
3 do?

4 Not only across our service areas are there  
5 differences, we have hours-per-case variances based on the  
6 quality. That's wrong. What we sometimes measure is not our  
7 efficiency but the efficiency of the bench. That is, a  
8 domestic relations judge who will stack cases. Where we can  
9 come in on a Friday morning and do six, our hours-per-divorce  
10 cases are significantly lower than with a new judge who was a  
11 former district attorney who never handled a divorce, who  
12 anguishes over stuff, and we spend hours in the hallway.

13 Now, you will say, look, Denver, you're spending  
14 more hours per divorce than Colorado Springs or than Grand  
15 Junction. We'll say you're right. Blame the governor for  
16 picking a former DA to handle divorces. That has very little  
17 to do with whether we need to be kick started.

18 Now, I'm not trying to divert your attention, but  
19 first, what are we measuring? If we're measuring compliance,  
20 let's look at whether we do illegal, legislative, or  
21 administrative lobbying. Let's look at whether I approve  
22 class actions. Let's look at all of those things you're

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 entitled to be comfortable that we're in compliance with the  
2 Act.

3 No timesheet that I spit out is going to  
4 self-divulge illegal activities. You can say, gee, here you  
5 go. You've got 40 hours. Give us back money for 40 hours of  
6 illegal activities. Our timesheets aren't run like that.  
7 Yours, no matter how nationally you impose them, it won't.

8 I'm not sure the way we set it up would be the same  
9 if we only had three lawyers instead of 23 or whether, in  
10 fact, you know, you -- I think who needs to be jump started  
11 and in what quality is what we ought to be talking about.

12 MR. WITTGRAF: Let me just make a comment. You're  
13 absolutely right. The statistics that would vary from project  
14 to project could have a wide variety of explanations.  
15 Oversimplification in talking about this is a real problem.  
16 Try to look at it from a different perspective, and that is  
17 that the nature of this undertaking, federally-funded civil  
18 legal services for the poor, is controversial.

19 If you all weren't so successful, we probably  
20 wouldn't worry about this. But the more success you have, the  
21 more controversy you generate. That causes people, among  
22 other things, to visit with their members of Congress, which

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 causes them to come back and say geez, what is this, what are  
2 these people doing?

3 So I think the nature of the undertaking requires  
4 the ability to give some accounting for what people are doing.  
5 Now, it might not always be that meaningful as to whether or  
6 not it's the highest quality provision of services. There may  
7 be good explanations as you talk about differences in courts  
8 and judges within a project, let alone between projects.

9 But try to come at it for a moment from the other  
10 perspective, which is that the Corporation needs to be able to  
11 say to the Congress this is what's being done, and perhaps  
12 even to show that there are ways in which certain kinds of  
13 cases are being handled more expeditiously, that we're able to  
14 move people who can be moved through different parts of the  
15 legal system faster without jeopardizing the representation of  
16 them.

17 We're doing better in this endeavor, both to respond  
18 when controversy arises and just to be able to make a case for  
19 increased funding to meet the unmet need. So, it's easy to  
20 tell us what the difficulties are, and we accept that. But  
21 try to come at it from the other perspective that not only do  
22 we need to make sure that outlawed activities are not being

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 undertaken, as you say. That's the compliance dimension.

2 But the broader accountability is that this is what  
3 all these federally-funded lawyers are doing in this national  
4 law firm. These are the kinds of cases they're dealing with.  
5 Then go to the funding. It helps us then say there's a huge  
6 backlog of domestic cases that can't get taken care of,  
7 divorce cases, or perhaps domestic abuse cases.

8 If we're able to say these people are working about  
9 as fast as they can, moving as many as they can, and we're  
10 only meeting 20 or 25 percent or a third of the need, we  
11 really need some more money to this end. Again, I don't want  
12 to step on local priorities, but be able to document the need,  
13 the types of cases that are going unmet.

14 MR. ASHER: You're not going to document it better  
15 than the Maine study, the Massachusetts study, the New York  
16 study, the Maryland study, the Colorado study, a national ABA  
17 study, a new national ABA study. I think that that's just a  
18 cop out. We know what the unmet need is. If you want to go  
19 and advocate to meet it, we'll go and advocate to meet it.

20 The timesheets that show -- they aren't going to  
21 show what's not done. They will show what is done. They will  
22 show what is done based on what you decide to count in the

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 categories. You're going to do it by current CSR codes.  
2 You're going to do it by domestic relations or housing.

3 Housing law in Colorado, we have a very short  
4 turnaround time because we don't have any goddamned defenses  
5 for tenants. In California, Massachusetts, New York, other  
6 places, they are in fact -- we have no warranty of  
7 habitability. We lose them real quick.

8 It takes longer to lose them somewhere else. That  
9 doesn't show that we need to be jump started or that  
10 California, New York or New Jersey aren't efficient in those.  
11 We need to look at what you really want to measure. Is that  
12 prohibited activity? If it's efficiency, hours are simply one  
13 of a number of issues.

14 What's the quality of advice do you give? Do you  
15 want programs to confirm their advice in writing? You never  
16 said that. Is that quality? It's not efficient, but I think  
17 it's better practice. Let's talk about that. We could give  
18 more but I think worse advice that clients wouldn't follow if  
19 we didn't follow up and document it in writing.

20 Let's debate that. That's not efficient. I think  
21 it's good practice and good for clients because when we talk  
22 to them about being judgment-proof over the phone, they don't

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 follow it. They don't remember it. They don't comprehend it.  
2 If we send them a letter, maybe they can look at it two or  
3 three times and they do grasp it better.

4 Well, let's follow up and see whether our  
5 perceptions are true with clients. Let's look at pro se  
6 operation. Is that half a loaf of bread or is that really  
7 quality service, and that we ought to be doing more of that?  
8 I mean, let's talk about efficiency and effectiveness and high  
9 quality work. Those are tough issues.

10 They aren't going to come off of our timesheet. Do  
11 you want to see it? I've gone one somewhere. (Laughter)

12 MR. WITTGRAF: Put the jump start aside for a  
13 moment. That moves us closer to the competitive funding or  
14 competitive bidding, perhaps.

15 MR. ASHER: Or quality.

16 MR. WITTGRAF: For the moment, let's try to stay  
17 with some kind of a broad accountability, compliance,  
18 productivity. You're right. Productivity isn't necessarily  
19 the same as quality. What I'm trying to do is to get you to  
20 come at it from the other side, which is that I think that to  
21 lower the level of controversy, to make the keys for improved  
22 funding or increased funding.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           Don't tell me all the problems. I accept that. I  
2 don't mean to be selling you short. Your volume and pitch  
3 went up, and that's fine. But try to come at it from the  
4 standpoint that we need to report. We need to account. We  
5 need to enhance credibility with the Congress, and how best to  
6 do that.

7           Compliance may be a part of it, but I think it's  
8 more than compliance. I think it is making the best case we  
9 can that we're being as productive as we can while meeting a  
10 certain standard of quality. How best do we do it? I'm  
11 trying to ask as broad a question as I can, but to come at it  
12 from the perspective or the assumption that we need to do it.

13           I mean, you could probably make a case that it's  
14 impossible and forget it. But I'm asking you for the moment  
15 not to make that case but to come at it from the perspective  
16 of how best to deal with this problem, how best to deal with  
17 this need, how best to be able to say yes, this is what's  
18 being done, and then be able to have a benchmark, perhaps, so  
19 that in the successive fiscal years we're able to compare it  
20 with prior fiscal years.

21           MR. ROODMAN: I would venture the timekeeping is not  
22 the answer at all. Take the two firms, Dana's firm and Kirk's

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 firm. If we ask you for the time records of your two firms,  
2 do you think it's going to tell us -- and we're going to  
3 compare them -- which one we're going to jump start?

4 Which one isn't doing effective work? Which one  
5 isn't providing quality legal services? Which one isn't  
6 productive? It wouldn't tell us that at all. That is exactly  
7 the same in our situation. I think there are so many--  
8 timekeeping does not give you the answer to accountability.

9 Now, let me just -- Bud, give me one little bit of  
10 patience. I do want to respond. You mentioned to me -- I  
11 don't think the universe of legal services lawyers is opposed  
12 across the board to timekeeping but for other reasons and  
13 other purposes. So I think what the discussion really needs  
14 to be, there is a divergence of views.

15 Some programs have it because they think it's  
16 valuable. But from the standpoint you're talking about,  
17 accountability, I don't think it's going to answer questions  
18 of productivity, quality. I think the comparisons are so  
19 different that I don't think it is the answer to what you want  
20 in terms of accountability.

21 MR. WITTGRAF: What are some other possibilities,  
22 then?

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           MR. ROODMAN: Well, case numbers, raw case numbers  
2 are a possibility. Accurate reporting of the number of cases,  
3 advice, and different types of cases. We could work together  
4 on that. That would give you some information to report to  
5 Congress on the total numbers.

6           I think the area that you raised problems with the  
7 field is what would be the uses of this information. We have  
8 to gain some agreement as to the uses and that are valid bases  
9 the timekeeping actually will help us with. Some that you've  
10 suggested would not help us at all.

11           They really would be an inaccurate accounting of our  
12 work, our productivity. So that's where I think we do have  
13 some difference of opinion.

14           MR. WITTGRAF: Do you not think that they would help  
15 you in terms of being able to eventually get greater funding  
16 from the Congress?

17           MR. ROODMAN: Correct. I do not think it would do  
18 that. In fact, I think the information would not be -- you  
19 couldn't compare Colorado and Chicago. You can't compare us  
20 and Washington. It doesn't give you the information that  
21 you're looking for, who is the -- which programs need to be  
22 jump started.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           It does not provide that. It might give us some  
2 management tools; who is putting in more hours, you know, who  
3 works 2,122 hours a year and who works 1,430 hours a year.  
4 But it doesn't give you the information that you're seeking.  
5 I don't think it tells the differences between organizations  
6 at all.

7           MR. ASHER: I'm sorry to interrupt. The fight is  
8 about what we do not how long it takes us to do it.

9           MR. ROODMAN: That's right.

10          MR. ASHER: I mean, if you're looking at -- let's  
11 talk about what the Congress or individuals don't like us to  
12 do. People talk about frivolous litigation. I've always said  
13 I don't think many people are bothered by our frivolous  
14 lawsuits. It's the one we win that drive them crazy. That's  
15 certainly true of Sheldon.

16          But people talk about class actions. Those are  
17 probably our most efficient cases. If you look at the  
18 individuals served or benefitted for hours, even though they  
19 may be high, that may be efficient. But are you going to take  
20 that and say look, Chicago spent 47,000 hours on class actions  
21 last year? Let's prohibit that.

22          We're talking about political judgments based on

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 some sort of gross analysis of time. Talk about what you  
2 don't want us to do. Let Congress make decisions. If they  
3 want us to mediate about migrant cases, let's fight about  
4 that. It may be inappropriate. Let's have an honest fight  
5 about that.

6 You don't want us to do class actions? I think that  
7 they are, at times, appropriate under Rule 23 and that we  
8 ought to be able to do them. But let's talk about that. If  
9 you want to talk about whether we ought to do specific sort of  
10 eviction cases, let's talk about that.

11 But let's not do an end run around what I think the  
12 real issues are, and that is the scope and the nature of legal  
13 services that public funds ought to be provided for poor  
14 people. I don't think that timesheets will either define or  
15 solve that.

16 I must admit, I will defend timekeeping. I'm not  
17 sure I will defend everybody's political motives for wanting  
18 my time. That's just the truth.

19 MR. DORSEY: I'd like to say something. You know,  
20 timekeeping came up when you in the private bar got on the  
21 billable hours kick. You're looking at it like if the private  
22 bar is going to do it, there must be some good to that. You

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 know, what I read about the private bar is that we're moving  
2 beyond billable hours and we're saying that you can't do it by  
3 the numbers.

4 I mean, if you ask me how do you look at quality,  
5 how do you look at what the program is doing, they are the  
6 standards for delivery of legal services that the ABA worked  
7 on for more years than I'd like to think about, which talks  
8 about some of the things that you look at when you look at the  
9 quality program.

10 I say if you're looking at whether a program is  
11 doing what it should be doing, you should look at results.  
12 What are you doing for your client? I have never heard in my  
13 years of legal services anybody complaining about the divorces  
14 that we're getting or the landlord-tenant stuff. I hear about  
15 the prison work that we do.

16 I hear about the migrant work that we do,  
17 legislative advocacy, the class actions, suits against  
18 governments. Most of our work is the routine divorce, housing  
19 case, consumer case, which nobody really complains about.

20 MR. WITTGRAF: Mr. Kirk?

21 MR. KIRK: This is the problem. You're all just  
22 like me. You're a bunch of egotistical managers. Everybody

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 thinks that his is the only way to run it. Sheldon thinks his  
2 is the only way to run it. Charles thinks his is the only way  
3 to run it, Jon, Ada. That's the way it is in my law firm.

4 The people in the Miami office resent the fact that  
5 somebody in Orlando is telling them what to do. The people in  
6 Tallahassee say no, I'm here. I know better what to do. You  
7 know what? They are right in about 80 percent of the cases.  
8 But you become so enamored -- well, we, I'm not saying you, we  
9 become so enamored with this is the way. I know what these  
10 people need to know. I know what they need to be doing.  
11 There is no room for any other leadership. There just isn't.

12 You folks want to say look, we'll tell you what we  
13 want and we don't need timekeeping. I'm telling you I need it  
14 here but it isn't going to do what you want to do. I'll tell  
15 you, Sheldon, you wait until you see what the insurance  
16 company makes you put out in the way of categories and how  
17 much time you're spending on inner-office conferences, how  
18 much do you do on this?

19 That wouldn't apply to you. I want you to know that  
20 the right person could take and take the time situation and  
21 say hey, here's why this place isn't efficient. Here's some  
22 things that they could do to become more efficient. It will

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 benefit. It can answer somebody's questions that Jon says it  
2 can't answer.

3 The fact is that what I'm concerned about is that we  
4 put in -- we're talking about presidents here. That's the  
5 deal. We put in a president that knows that people in the  
6 field, anytime that they don't agree with it, they are going  
7 to thumb their nose and say man, I don't like what you're  
8 saying. We're going to do it our own way. You've got to do  
9 more studies. You haven't listened.

10 What the president has got to do is listen to the  
11 deal, and 85 percent of the time say, you know, you're  
12 probably right. But sometimes he's got to say I'm sorry,  
13 folks, but you're wrong, or at least I'm going to try my way.  
14 You guys have to follow. You have to jump on the bandwagon.  
15 We're all going to try it one time.

16 I mean, the first time that you went into computers,  
17 it's all a pain in the neck. The law firms that had this  
18 part, well, I'm not going to go on the computer. This guy  
19 says I'm not going to keep my time records that way. Then it  
20 doesn't work.

21 But somebody up there has got to have the authority  
22 to do it. They can't be afraid of what every field person is

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 going to do. They can't be afraid that Chicago or Evergreen  
2 is going to file suit because they don't like what you're  
3 doing and they're not going to give them the information.

4 So, to that extent, I mean, I think you need  
5 somebody that's going to listen, that's going to have the ear  
6 toward the field. But, you know, maybe some detachment is  
7 necessary. Maybe that person has got to sit there, and pound  
8 a fist every once in awhile, and do it, and not be afraid of  
9 what goes on.

10 MR. DORSEY: You were talking about the situation I  
11 find myself in every day. I talk to myself. I say, look,  
12 self, why don't we do it this way? I say, well, a decision  
13 has got to be made. This is the way it's going to be. I've  
14 heard you. We're going to try it. If it doesn't work, we can  
15 always change it.

16 None of us here are saying that we're going to thumb  
17 our nose at any president. What we're saying is that there  
18 are certain things that are very important. Listen to us.  
19 Hear what we say. Give us our input. Then go ahead and make  
20 your decision. We will attempt to do it. But you can't be  
21 rigid in your approach, and you have got to listen.

22 MR. ROODMAN: Let me follow up also. I think one of

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 the most serious problems and mistakes the Corporation can  
2 take is to try to push something through of this complexity  
3 from coast to coast on 320 programs. You may be wrong.  
4 Timekeeping may not do anything that you think it's going to  
5 do.

6 So my suggestion to you and to any future president  
7 and all of your ideas about change is start with an  
8 experiment. Don't think about imposing something on 320  
9 different programs across the country. Timekeeping is an  
10 example. Maybe there's some value somewhere on something we  
11 can agree on. Do it in two programs and see, see if your  
12 ideas --

13 George wants to have something that will show  
14 accountability to Congress. Will it show productivity? Will  
15 it show that one program is performing better than another  
16 program? I don't believe it. If he believes it, let's  
17 experiment with two programs who want to try it. There  
18 probably are a few programs that are willing to try something  
19 like that. Yes, my good friend, Jon, of course.

20 But don't think -- I think the system is so much  
21 more complex than you're giving in terms of what we need to  
22 show to Congress. Timekeeping will not do what you think it's

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 going to do. Therefore, I think if I were in your shoes, I  
2 would start slow.

3 I would look at it carefully. I would try and set  
4 something out. Maybe it's a total bust. So the idea of  
5 trying to impose it on all of us I really think is a mistake.  
6 So, starting slow with some cooperation with programs that  
7 want to participate, maybe that will give you some  
8 information. It might not too.

9 Then everybody will say let's move on to something  
10 else, some other means of showing accountability; statistics  
11 on the number of cases, won-lost cases. I mean, there are a  
12 number of other things other than this purpose.

13 MR. WITTGRAF: Ada?

14 MS. SHEN-JAFFE: I think that the issue of  
15 timekeeping from my perspective is an overblown football that  
16 is masquerading as an issue. There are a lot of much more  
17 important subissues there, but it keeps getting thrown around.  
18 So we have to deal with it or forever duck it.

19 One of the things -- you may know this better than I  
20 do. I certainly wasn't involved in this, but the field has--  
21 and it's both a strength as well as a weakness -- the field  
22 has a long memory. My recollection when I was the deputy

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 director of Evergreen of this issue when it first reared its  
2 head, timekeeping, was in the guise of something that was  
3 called functional accounting.

4 At that time, the independent audit firms and  
5 whatever their association is was off on this big bandwagon,  
6 which they've now abandoned by the way, but they were all off  
7 on this functional accounting mechanism for audit. This is  
8 the only way that you can really do an effective audit and so  
9 on and so forth.

10 The Corporation Board -- I may be attributing to the  
11 wrong people or the wrong levels of the Corporation, so  
12 forgive me because I just wasn't familiar enough with it. But  
13 you just need to know the mentality of the field. The  
14 Corporation then embarked on an initiative to impose, without  
15 any discussion, functional accounting and timekeeping out in  
16 the field.

17 We were notified that this was going to happen and  
18 given some examples. The field said wait a minute. This is a  
19 major change. We're all in the middle of an audit. We don't  
20 understand what it's about. We don't understand what it's  
21 for. It's going to require computer equipment that some of us  
22 don't have.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           This must have been somewhere in the early 1980s.  
2           What I recall is that the Corporation retained a national  
3           audit firm, Arthur Young, Arthur Anderson. They all start  
4           with Arthur, so I don't remember which one. The first  
5           national firm that was engaged did a feasibility study.

6           They came out to Evergreen and they went out to  
7           maybe five other programs that had already instituted  
8           timekeeping on their own as a case management and work  
9           management device. They spent a long time with the  
10          independent auditors at Evergreen and my controller and the  
11          program director at that time, I believe maybe two or three  
12          days out there and I assume with the other programs.

13          What the firm concluded was that the amount of time,  
14          effort, and cost for gearing the program's 300-plus programs  
15          up just on the hardware costs alone -- now this is when the  
16          stuff cost a lot more money -- were outrageous for the  
17          perceived possible return.

18          That's the report that I understand they gave to the  
19          Corporation. The field knows this. That firm was fired. The  
20          Corporation got a different firm, ostensibly to come up with a  
21          different answer, I suppose. I guess I'm coming around full  
22          circle to the credibility problem.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           When this is a level of interaction between the  
2 field and there's a history of this, it's very, very hard to  
3 let go and to understand this time it's for some different  
4 purpose, or it won't be like last time. Ultimately, the  
5 Corporation did send out all this computer equipment gratis to  
6 the field and then had to recall it because it was illegally  
7 purchased from some foreign country in violation of copyright  
8 laws, something like that.

9           So I'm just trying to make you see out of the small  
10 window of a field perspective. You know, if I wrote this as a  
11 soap writer, people would just not believe me. It just  
12 becomes very difficult to keep up with this and to act in good  
13 faith and to keep rising to the occasion of acting in good  
14 faith.

15           MR. KIRK: Ada, we can't continue to live in the  
16 past. I mean, you know, you can't burden me with the sins of  
17 my father.

18           MS. SHEN-JAFFE: I can't agree with that.

19           MR. ASHER: Unless they get repeated. That is, that  
20 if in fact there is an idea that rationally doesn't make a  
21 great deal of sense, but it's being driven on the one side by  
22 people who have one set of ideas and is being resisted by

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 people on the other side, it's not timekeeping we're talking  
2 about.

3 I mean, you want to mandate a simple timekeeping  
4 system. I don't think ultimately that's the issue. The issue  
5 is what judgments and what sanctions get taken and what  
6 evaluations get made with that data.

7 MS. SHEN-JAFFE: Personally, if George is telling me  
8 in good faith that it is his political judgment that he can't  
9 go to Congress and he cannot deal with the persistent  
10 opponents of Legal Services without he himself reaching some  
11 comfort level on accountability, I can't supplant his  
12 judgment.

13 If he's saying that some uniform imposition of  
14 timekeeping is what he thinks needs to happen, I would defer  
15 to that. Personally, I would defer to that. I'm trying to  
16 make a different point here which is the intent point, which  
17 is the fact that you do have this baggage. I'm not saying  
18 it's your fault, and I'm not saying it's the field's fault.

19 We're now talking about a bridging task. You come  
20 halfway; we come halfway. Somewhere in the middle are the  
21 tender threads of trust, you know, if we're real lucky. It is  
22 a two-way street. I'm just talking up the other way of the

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 bridge that you're talking.

2 I did want to address George's questions about what  
3 other things. I want to put timekeeping aside.

4 MR. KIRK: We're talking about presidents here.

5 MS. SHEN-JAFFE: That's true.

6 MR. WITTGRAF: My fault. My concern, and we can  
7 move on momentarily. My concern is that the issues that we're  
8 talking about are the heart of a lot of political controversy.  
9 As I said when we started after we ate, that I think there are  
10 questions inevitably that are going to come up as we think  
11 about a perspective president, and there are questions on  
12 which we're going to need the leadership of a president to  
13 help us move forward.

14 So while we're beyond the characteristics and the  
15 traits, the immediate characteristics and traits of a  
16 candidate or candidates for president, I think it's the core  
17 of where we are politically. Certainly, the Board is stuck  
18 with political problems. The president is going to be stuck  
19 with those same political problems. So I'm going to defer Ada  
20 to go ahead.

21 MS. SHEN-JAFFE: It's fine. We can keep to the  
22 task. That's fine with me.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. WITTGRAF: Jerry, go ahead.

2 MR. LANG: Two comments about presidents and the  
3 thing of fathers and mothers being visited on sons and  
4 daughters.

5 George, you mentioned early on in your question  
6 controversy. I would hope that the president would not be  
7 told that part of his or her mission is to eliminate  
8 controversy. As long as we're doing our jobs, we're going to  
9 be controversial.

10 It is our job in an adversarial justice system to  
11 generate controversy as long as I am suing lenders who violate  
12 the law, as long as I am suing slum lords who violate the law,  
13 I'm going to be controversial. It's not just on the federal  
14 level.

15 I mean, I've got an office in St. Cloud, as Jeanine  
16 knows, and we're suing a trailer park owner who happens to be  
17 the former mayor and who is a heavy in the United Way up  
18 there. He's trying to hurt us with our United Way funders  
19 because we're suing him for the practices involved in his  
20 trailer park.

21 That's what we should be doing. This is where  
22 low-income people in the St. Cloud area have their housing.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 We're supposed to be doing that. You can't eliminate it. It  
2 shouldn't be a goal. I would hope that the president that you  
3 hire is not told that eliminating controversy should be a  
4 goal.

5 Regularly, in Minneapolis, once or twice a year,  
6 some small businessman or lender tells the United Way that  
7 he's going to stop letting the United Way solicit in his  
8 office because we have held him accountable. As long as there  
9 is accountability, and our mission is accountability, which is  
10 why we don't mind being held accountable ourselves, our job is  
11 to hold other people accountable. That equals controversy.

12 So the goal should never be to eliminate  
13 controversy. The goal is to make sure that we do our jobs  
14 right. For my program, the ultimate defense has always been  
15 we win. That shuts people up right away. That's why we're  
16 still getting United Way money in St. Cloud. We're still  
17 getting United Way money in Minneapolis. It's because we win.

18 We do the job right. We're controversial. We sue  
19 the city. We sue the state. We sue the federal government.  
20 But we do it right. We're controversial. But the bar is  
21 prepared to stand up for us because we do it professionally,  
22 and we do it well. That's our defense.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           With regard to the question of the things of the  
2 past being visited, I would like to use a very recent example  
3 in my personal experience with David Martin. George, as you  
4 know, I was at that meeting in Des Moines of the regional  
5 project directors. I raised two issues that I think are  
6 relevant.

7           One is the malpractice insurance issue where the  
8 national Legal Services office solicits information from  
9 programs around the country on their malpractice experience.  
10 clearly with an eye to looking at whether there was a better  
11 alternative to the NLADA package insurance that the programs  
12 all over the country use.

13           I knew from my personal program experience that the  
14 information Mr. Martin solicited was hopelessly, hopelessly,  
15 inadequate to give an accurate picture on the basis of which  
16 any other potential insurer could possibly figure out whether  
17 they could compete with NLADA.

18           My program has never given out a nickel. The  
19 carrier has never paid out a nickel on our behalf for  
20 malpractice claims. I've had three cases in the last 10 years  
21 in which the carrier has spent \$40,000 defending us  
22 successfully. In two of those three cases, in fact, we got

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 attorney's fees awarded because the claims against us were  
2 frivolous.

3 The information Mr. Martin requested was hopelessly  
4 inadequate for that purpose. Had he been somebody with field  
5 experience, he would have already known that. When I raised  
6 the issue with him in Des Moines, he absolutely stonewalled  
7 me. He just said we're going ahead with this. It was that  
8 short a response. He just didn't want to hear what I had to  
9 say.

10 I raised another example with him later in the  
11 meeting about technical assistance and how it relates to the  
12 issue of trust. We talked about the possibility, for example,  
13 of me going out to Jon's program and maybe if he had some  
14 problem he was trying to solve, that maybe I could be of  
15 assistance based on my experience in Minnesota.

16 I explained to Mr. Martin that one of the problems  
17 with this is that if reports are going to Washington right  
18 now, the trust level is so dismal that I think Jon might be a  
19 little nervous about exposing any weakness in his program to  
20 somebody in Washington.

21 I suggested to Mr. Martin that perhaps if the real  
22 goal is to let me help Jon improve his program, send me out to

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 Denver and let me give my report or my suggestions to Jon and  
2 let it end right there, a report from me to Jon. Mr. Martin  
3 laughed at me, which I took reasonably well because I've been  
4 in Legal Services a lot longer than he has, and I don't  
5 particularly need his approval.

6 But he was absolutely not interested in the  
7 possibility that this might be one way to help accomplish what  
8 he said was his goal, which is to get about the process of  
9 rebuilding a technical improvement system. You need to have a  
10 president who is willing to listen to field people.

11 Mr. Martin, in my personal experience, was not. I  
12 think that's unfortunate, but it's a real problem. I hope that  
13 you will look very carefully at that. Mr. Martin came into  
14 the position of president with no legal services experience,  
15 with no familiarity that I noticed with the delivery of legal  
16 services, even with a private bar volunteer perspective or as  
17 Board member or in any other way.

18 He came in totally with a blank slate. Some people  
19 think that's a plus. My personal opinion is that at some  
20 point it becomes a minus if somebody is totally ignorant. The  
21 fact is that he simply wasn't open to listening. I think you  
22 should drill perspective candidates and look very carefully at

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 their resumes to see what signs there are about what this  
2 person's mentality is.

3 Is this person used to working collegially or is  
4 this person going to come in thinking, as I think Mr. Martin  
5 said pretty openly, he's a cop. A cop isn't going to be able  
6 to work with 320 programs all over the country in any sort of  
7 collegial way. I think there will be a lot of candidates in  
8 the pool who would be able to. I hope you'll look very  
9 carefully at that.

10 MR. WITTGRAF: Dave, you want to add anything?

11 MR. YOEDER: I guess I just throw out one thought  
12 that came to me as I was listening to the discussion of  
13 timekeeping as it applies to future presidents of the  
14 Corporation. That is that this discussion seemed to focus  
15 primarily on the issue of timekeeping.

16 Whereas, I would hope that the Board would focus on  
17 how will this person who is selected as president mediate and  
18 develop that issue into some kind of resolution. What are the  
19 skills that that person will bring to the Corporation, who  
20 will help resolve the issue and not be focused purely on  
21 what's your position on how timekeeping should look?

22 MR. WITTGRAF: Mr. Kirk?

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. KIRK: Could I respond just one moment? Ada, I  
2 think we keep coming back to what you said. The field needs  
3 to take steps at the same time the Board takes steps. If  
4 there's a thread there, then thread can touch.

5 If we all do some introspection -- in the time that  
6 I spent it's been saying look how you never reach out to us.  
7 All you have sat there and done is say look how you never  
8 reach out to us. We're all focusing on ourselves and maybe  
9 not looking at what the other person does.

10 I don't think we're going to cure this overnight. I  
11 mean, I think we're apparently where we were several years  
12 ago, as Croatia and Serbia, and we're 10 years post whatever  
13 that is. I don't know what kind of situation that puts us,  
14 but certainly closer than we were at that point in time.

15 You know, in looking for a president, ideally it  
16 would be a point where I'm not waiting for you to make a move  
17 or you're not looking at me waiting for me to make a move.  
18 We're further on down the line. Whether we're at that point  
19 or not, I don't know.

20 Just as you've offered me some challenges and us  
21 challenges as to what we ought to be doing to listen to you,  
22 George has said here's some stuff we need. Instead of saying

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 no, it ain't going to work, and here's all the reasons it's  
2 not going to work, maybe if the field comes up with something  
3 and says you want accountability, here's a way that I think  
4 you can gain some accountability.

5           Instead of taking all the reform issues and coming  
6 up with resolutions that said no, no, no, no, no, we don't  
7 want to go with it, somebody is saying hey, I want something  
8 here. Give it to us. If you're saying something, I want  
9 something, maybe we ought to listen to you some more.

10           I don't know. I probably haven't made any points  
11 but just kind of saying some things I felt -- I spent an hour  
12 and a half with Jerry this morning. That was valuable time.  
13 I'm glad I did it. I listened some more, and maybe you all  
14 can do that.

15           MR. WITTGRAF: Mr. Dana?

16           MR. DANA: I'd be interested in your reactions to  
17 our problem which is -- our short term-problem is an interim  
18 president and the fact that we go out of office before the  
19 long-term search, as I understand you've described it, could  
20 be completed. Maybe some of us will be reappointed; maybe we  
21 won't.

22           That's the dilemma we are in. I'd be interested to

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 know -- for many of the reasons you've indicated, I think  
2 we've got a problem in attracting an interim president. We  
3 could have a short-term interim president and a short-term  
4 process to find a permanent president or a long-term interim  
5 president and a long-term process that would run over into  
6 next year. What's your collective wisdom on which we should  
7 do?

8 MR. DORSEY: If I can, I compliment the Board on  
9 starting this dialogue because you're the ones who reached out  
10 and said look, we have a problem. What do you think about it?  
11 I think that that is a good first step.

12 I think that this Board should proceed as though it  
13 were a confirmed Board to get the right person using the best  
14 process possible, because what I would like to see you do,  
15 what I would like to see us do, is to get the person who is  
16 going to be able to lead this Corporation for the indefinite  
17 future. That's what I would like to see. I would encourage  
18 you to set up the best process that you can to get the person  
19 to lead this Corporation for the indefinite future.

20 MR. ASHER: I think you have to try to do it right.  
21 That means crafting the job description carefully,  
22 thoughtfully, trying to have an open process where you reach

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 out for potential candidates, where, hopefully, you involve  
2 organized bars. I understand the ABA has offered to at least  
3 be available.

4 You want to include some field participation. You  
5 operate on the assumption that you will get as good an interim  
6 president, knowing that it's not an easy position. I mean,  
7 you can't really attract, I wouldn't think, a large pool and  
8 that that is somewhat limited.

9 The process is one where you insure to the extent,  
10 whether it's you or your successors, have laid the groundwork  
11 for doing it well and thoughtfully and wisely. Maybe you'll  
12 be able to finish it. Maybe you will have just left a good  
13 process for successors that finish.

14 I think that's what I would do rather than to  
15 scramble and then regret were you to be reappointed or  
16 confirmed having not done it the way that, given more time,  
17 you would have wanted. But that's not an easy issue at all.

18 MR. WITTGRAF: Ms. Pullen?

19 MS. PULLEN: I don't have any questions.

20 MR. WITTGRAF: Ms. Love, any questions?

21 MS. LOVE: Well, you know, here I go again. You can  
22 look at everything, pick the best, and still if you don't do

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 what some of us want them to do, he's not going to work  
2 either. So I just have to go with myself and pick the one  
3 that I think is the right one.

4 To me, a person from the field would make the best  
5 president because he understands the poor people's needs and  
6 wants, rather than to just wear a white shirt around and not  
7 know nothing about life on the outside. That's wrong of you  
8 to say that -- I'm sorry if I'm making a mistake -- the cost  
9 of living in Washington --

10 But if you are as dedicated as you say you are, then  
11 that's how the poor people live. They don't have nothing, you  
12 know. You don't want to give up your roots from Denver to  
13 move to Washington because the cost of living is so high. I  
14 have to buy a loaf of bread just like you do.

15 I'm sorry, but you're trying to do the right thing  
16 and learn. I mean, I've learned an awful lot in a year and a  
17 half. You get more sitting on this Board, honey. In my  
18 category, I put myself -- I can't live like big-time  
19 attorneys, you know, but I want a steak here once in awhile  
20 too.

21 MR. ASHER: I don't think I mentioned the cost of  
22 living. I think I talked about the disruption to a 15 or 10

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 year old in a family, and that's a much more personal issue.  
2 I think if I were not dedicated, I would not have made the  
3 choices I have. So I don't feel any need to defend myself.

4 MS. LOVE: But I gave up 22 years traveling all over  
5 the world helping protect the American people too, being an  
6 ex-military wife. I didn't grumble about taking 30-some shots  
7 to go overseas with four little raggedy babies following  
8 behind me. So I think if you're a dedicated person, which I  
9 was to the military, I think that you could be dedicated too  
10 and leave Denver.

11 MR. WITTGRAF: Put him on the spot. Offer him the  
12 job. (Laughter)

13 MS. LOVE: I'm just saying sometimes you have to  
14 make sacrifices. I cried leaving my family back home, but I  
15 was doing something worthy to serve my country. You're doing  
16 something worthy to help the poor. All of you, all of us,  
17 need to work together not just boop, boop, boop.

18 MS. WOLBECK: Who's going to take care of Denver,  
19 Joe?

20 MS. LOVE: It will be up to somebody else. If he's  
21 done a good job, somebody will follow in his footsteps,  
22 probably one of those little 15 year olds of his.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. WITTGRAF: Jerry?

2 MR. LANG: A couple of comments. One, I think you  
3 should expect to take probably three months or more in the  
4 process. My experience in hiring is it always takes longer  
5 than it should anyway. Your process is going to be more  
6 complicated than ours. If you can do it right -- assume your  
7 interim president is going to be there for awhile.

8 Number two, I think your choice of an interim  
9 president is going to be a signal that will have two impacts.  
10 One is it may have an impact on the trust level on whether it  
11 goes up or down. If it's somebody who has a track record who  
12 is perceived as hostile, it certainly is not going to help the  
13 cause.

14 If it's somebody who is perceived as being somebody  
15 who can work with the field, that could be very helpful on two  
16 levels. One is it starts building bridges. Let me just pick  
17 an example out of history. One of the presidents of the  
18 Corporation in recent years was John Bayly. He isn't somebody  
19 that, God knows, came out of the field, and he didn't start  
20 out in Washington in the Corporation hierarchy with a lot of  
21 trust between him and the field, but he started building that  
22 and, of course, was immediately forced out by one of your

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 predecessor Boards.

2           Somebody like that -- I have no idea where John  
3 Bayly is and whether he's available or interested --

4           MR. DANA: He's a judge.

5           MR. LANG: So, does he like being a judge? Does he  
6 have a lot of vacation time? (Laughter) Judges get lots of  
7 vacations in my experience. But somebody like that could tell  
8 the field that you all are looking for somebody that can work  
9 with us and that maybe we could start building bridges with.

10           That, in turn, may also have an impact on the hiring  
11 pool for the permanent position. My good friends at the table  
12 here, none of them said openly when the question was "how  
13 comes you guys didn't apply," none of them said 99 percent of  
14 the field people would have bet you 100 to 1 odds that a field  
15 person was not going to be selected during the last process.

16           MS. SHEN-JAFFE: I said that.

17           MR. LANG: You said that? I wasn't listening  
18 carefully. I'm sorry, Ada. I think a lot of people still  
19 have that perception that significant field experience would,  
20 in the minds of at least the plurality, perhaps the majority  
21 of the Board, be a disqualifying factor. I don't know if  
22 that's true.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           There's been a change in personnel on the Board.  
2           That may well not be the case. But your choice of an interim  
3           president might be a signal in terms of what you're looking  
4           for in terms of qualities in a permanent president. That, in  
5           turn, could affect who applies for the job of president for  
6           the long haul.

7           There are a lot of very qualified people out there,  
8           but if they think, as Ada said, it would be a waste of time to  
9           apply, they are not going to apply. If they think they  
10          couldn't work with the Board, they're not going to apply. So  
11          your choice of an interim president, I think, can have a lot  
12          of both symbolic and real impact.

13                 MR. WITTGRAF: Ms. Wolbeck?

14                 MS. WOLBECK: Nothing.

15                 MR. WITTGRAF: Mr. Hall?

16                 MR. HALL: Nothing.

17                 MR. WITTGRAF: Tim Yeager, who works with Dwight  
18          Loines is here and has handed out a statement. Did you want  
19          to speak briefly to the points that are raised in your  
20          statement, Tim?

21                 MR. YEAGER: I'd appreciate that opportunity.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

## 1 PRESENTATION OF ROBERT T. YEAGER

## 2 NATIONAL ORGANIZATION OF LEGAL SERVICES WORKERS

3 MR. YEAGER: I'll stand since I'm in the back here.  
4 I'm Tim Yeager. I'm on the staff of the National Organization  
5 of Legal Services Workers. I appreciate the opportunity to  
6 address you folks today. I've prepared remarks, and the Board  
7 has them. I didn't bring enough for everybody. If you'd like  
8 a copy, give me your card and I'll send it to you. I'll just  
9 briefly summarize where we're at because I know you're working  
10 under a time constraint.

11 I would second much of what has been said by the  
12 program directors that you've asked to appear before you  
13 today. We have much in common on this. It comes to mind the  
14 opening scene of Meredith Wilson's "Music Man" where all the  
15 salesmen are on a train. The banner goes something like "You  
16 can bicker. You can talk. You can bicker. You can talk.  
17 You can bicker, bicker, bicker, talk all you want." Then some  
18 guy stands up and says, "But you've got to know the  
19 territory."

20 Well, that's where the union members are. We  
21 represent the majority of the employees that you fund to  
22 provide direct legal services to the poor. We represent the

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 legal workers and the lawyers. We think what is absolutely  
2 critical in a quality of the legal services president that you  
3 will select is that person needs to know the territory.

4 By that I mean the person has to have their ear to  
5 the ground. That is not something that is easily done from  
6 Washington. That is not something that is easily done without  
7 the counsel of the captains and the colonels and the majors in  
8 the field.

9 Now, we represent the noncomps and the privates.  
10 You need to hear from them as well. That is why it is central  
11 to our recommendation for your process. It's an expanded  
12 process such as Charles had laid out earlier in his process,  
13 an expanded search committee, not with the intent of usurping  
14 any ounce of the authority of the Board.

15 That is not what we're talking about. But if you  
16 want to select a president that has an ear to the ground, that  
17 knows what is going on in the local programs and is familiar  
18 with the practicalities of the delivery of legal services, we  
19 feel it's important that it's a president that not only has  
20 demonstrated commitment, as Ada has outlined, we think it's  
21 important that they have some significant experience in the  
22 delivery of legal services in one of the programs that he or

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 she will be directing.

2 We think that is important. I'm not saying that  
3 they have to be a current director. It would be nice to have  
4 somebody who actually worked on a program, was familiar with  
5 that. We find on Capitol Hill that those congresspersons who  
6 have had that kind of experience are the ones that are most  
7 sensitive to the needs of the clients and to the needs of the  
8 program.

9 I think, coming from Iowa, of Jim Leitch, Tom  
10 Harkin. Both have been loyal supporters to the funding of  
11 legal services and both of whom have served at some point in  
12 direct legal services of the poor.

13 We are suggesting an expanded committee of the kind  
14 that Charles had suggested. It should have representatives  
15 from the field, of the bar, of client groups, and of the union  
16 and nonunion employees who work on the program. We're not  
17 talking 100. We're not talking 50. But we are talking an  
18 expanded committee that will give you additional information,  
19 will put your ear closer to the ground in more locations  
20 across the country.

21 Now there's been a problem in the last several years  
22 where the president has been selected through a closed

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 process. We've had some bad experiences with those who have  
2 chosen and had some bad experiences with the length of their  
3 tenure.

4 We feel very strongly that when you have a more open  
5 process that is more inclusive of the significant, concerned,  
6 and interested parties, you're more likely to come up with a  
7 president who enjoys the confidence of a broader section of  
8 the community and, consequently, is more likely to stick  
9 around long enough to make a difference, wherever we decide to  
10 go.

11 Leadership is composed of two factors, as far as I  
12 can see. One is a willingness to leave. It's also a  
13 willingness to hear. I think that is what we're talking about  
14 today.

15 Finally, I want to suggest that any president you  
16 pick is going to be working on a day-to-day basis with your  
17 national staff. Therefore, it is also a recommendation that  
18 someone from your staff be on the search committee. These  
19 are the people they are going to be working with on a  
20 day-to-day basis. It would be nice if that was a harmonious  
21 and constructed relationship.

22 Thank you for your time.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 MR. WITTGRAF: Thank you, Tim. Anybody have any  
2 questions? Mr. Kirk?

3 MR. KIRK: No.

4 MR. WITTGRAF: Mr. Dana?

5 MR. DANA: No.

6 MR. WITTGRAF: Ms. Pullen?

7 MS. PULLEN: No.

8 MR. WITTGRAF: Ms. Love?

9 MS. LOVE: No.

10 MR. WITTGRAF: Ms. Wolbeck?

11 MS. WOLBECK: No.

12 MR. WITTGRAF: Mr. Hall?

13 MR. HALL: No.

14 MR. WITTGRAF: Lynn Sturman from the American Bar  
15 Association is here. Lynn, did you have anything you wanted  
16 to hand out or anything you wanted to say?

17 MS. STURMAN: I hope everybody got the letter from  
18 Justice Dennis Archer on behalf of the ABA. I have extra  
19 copies. I think Pat does as well. If people have not  
20 received that letter, that letter basically offers our  
21 assistance and some limited views on the criteria and the  
22 process that we hope you will consider following.

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1           Cabbage Snow, Jr., who is a member of the standing  
2 committee on legal aid, will be attending your meeting in  
3 Jackson. If you wish him to comment on anything at that time,  
4 he will be available to do so. But I think our letter was to  
5 offer you an opportunity to say we'd like to be of assistance.  
6 Let us know how we might be.

7           MR. WITTGRAF: Any questions for Ms. Sturman?

8           (No response.)

9           MR. WITTGRAF: Anybody else who hasn't had a chance  
10 to say something and would like to?

11          (No response.)

12          MR. WITTGRAF: It's a few minutes after 2:00  
13 o'clock. We're going to go to Executive Session for a little  
14 while before we start to run into plane times. As Jon Asher  
15 pointed out so well, in any system of timekeeping it's  
16 difficult to know what to call today. For those of you who  
17 have specific timekeeping responsibilities or any other kinds  
18 of responsibilities, we thank you very much for taking the  
19 time to be with us.

20          Some of you came specifically at our request. We  
21 very much appreciate you being here. Those of you who came on  
22 your own initiative, I guess greater thanks and

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

1 congratulations to you. We do hope, as Ada and Bud discussed  
2 in some of their colloquy, that this is a part of a reaching  
3 out process.

4 While we have differences among ourselves, just as  
5 you all have differences among yourselves, we do hope that  
6 we're able to work together and to be members of the same  
7 family. I don't know whether we're brother and sister or  
8 parent and child, but members of the same family in any case.

9 Thank you all very much. I'm sure we're going to be  
10 with this process for awhile. So don't feel constrained that  
11 just because we are very much at the beginning of the process  
12 -- this is just the beginning of the process -- that any of  
13 you individually or collectively, I guess, if you have other  
14 thoughts or concerns to share with us, please do, either about  
15 the president or about things like timekeeping and accounting  
16 and competitive funding and so forth.

17 Thank you all.

18 (Whereupon, at 2:05 p.m., the open session of the  
19 meeting was concluded.)

20 \* \* \* \* \*

**Diversified Reporting Services, Inc.**

1511 K STREET, N.W. SUITE 643

WASHINGTON, D.C. 20005

(202) 628-2121

