

1                   LEGAL SERVICES CORPORATION  
2                                   BOARD OF DIRECTORS

3                                   MEETING OF THE  
4                   PROVISION FOR THE DELIVERY  
5                   OF LEGAL SERVICES COMMITTEE  
6                   Friday, July 27, 2007  
7                                   1:43 p.m.

8                                   Sheraton Nashville Downtown Hotel  
9                                   623 Union Street  
10                                  Nashville, Tennessee

11                   COMMITTEE MEMBERS PRESENT:

12                   David Hall, Chairman  
13                   Jonann Chiles  
14                   Thomas A. Fuentes (by telephone)  
15                   Herbert S. Garten  
16                   Bernice Phillips  
17                   Sarah M. Singleton  
18                   Frank B. Strickland, ex officio  
19                   OTHER BOARD MEMBERS PRESENT:  
20                   Michael D. McKay  
21                   Thomas R. Meites  
22                   Lillian R. BeVier

STAFF AND PUBLIC PRESENT:

Helaine M. Barnett, President  
David L. Richardson, Treasurer and Comptroller  
Victor M. Fortuno, Vice President for Legal Affairs,  
General Counsel, and Corporate Secretary  
Karen Sarjeant, Vice President for Programs and  
Compliance  
Mattie Cohan, Senior Assistant General Counsel  
Charles Jeffress, Chief Administrative Officer  
Richard (Kirt) West, Inspector General  
Laurie Tarantowicz, Assistant Inspector General and  
Legal Counsel  
Thomas Coogan, Assistant Inspector General for  
Investigations, Office of the Inspector General

1 STAFF AND PUBLIC PRESENT (Continued):  
2 Matthew Glover, Assistant Counsel to the Inspector  
3 General  
4 John Constance, Director, Office of Government  
5 Relations and Public Affairs  
6 C\_sar Torres, Executive Director, Northwest Justice  
7 Project  
8 Pat McIntyre, former Executive Director, Northwest  
9 Justice Project  
10 Neil McBride, Interim Executive Director, Legal Aid  
11 Society of Middle Tennessee and the Cumberland  
12 Ashley Wiltshire, former Executive Director, Legal Aid  
13 Society of Middle Tennessee and the Cumberland  
14 Jessie Nicholson, Executive Director, Southern  
15 Minnesota Regional Legal Services  
16 Bruce Beneke, former Executive Director, Southern  
17 Minnesota Regional Legal Services  
18 Terry Newby, member of the Board, Southern Minnesota  
19 Regional Legal Services  
20 Linda Perle, Center for Law & Social Policy (CLASP)  
21 Don Saunders, National Legal Aid and Defenders  
22 Association (NLADA)  
Chuck Winder, National Legal Aid and Defenders  
Association (NLADA) (by telephone)  
Gary D. Housepian, Executive Director, Legal Aid  
Society of Middle Tennessee and the Cumberland  
Steven Xanthopoulos, Executive Director, West Tennessee  
Legal Services  
Larry Barbee, Jr., Chairman of the Board, West  
Tennessee Legal Services  
Mary Jo Middlebrooks, member of the Board, West  
Tennessee Legal Services  
David R. Yoder, Executive Director, Legal Aid of East  
Tennessee  
Marilyn Hudson, member of the Board, Legal Aid of  
East Tennessee  
Debra L. House, Legal Aid of East Tennessee  
Pat Rulon, Legal Aid of East Tennessee  
Harrison D. McIver, Memphis Area Legal Services  
Linda Warren Seely, Memphis Area Legal Services  
Chuck Greenfield, Legal Aid Society of Hawaii

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## 1 P R O C E E D I N G S

2 CHAIRMAN HALL: I would like to call to order  
3 the Provisions Committee, and to welcome all of our  
4 guests who are here. A few of our committee members  
5 are here. Some are on their way.

6 I wanted to also check in to see if there are  
7 some individuals on the line. Is Committee Member Tom  
8 Fuentes on the line?

9 MR. FUENTES: I am. Thank you.

10 CHAIRMAN HALL: Welcome, Tom. Glad to have  
11 you here.

12 Are there other individuals who are on the  
13 line who may want to identify themselves?

14 MR. WINDER: Yes, sir. My name is Chuck  
15 Winder from the National Legal Aid and Defenders  
16 Association, taking advantage of this.

17 CHAIRMAN HALL: Welcome, Chuck. Anyone else?

18 (No response.)

19 CHAIRMAN HALL: Well, if there are other  
20 individuals on the line, I welcome you as well.

21 I would first seek an approval of the agenda  
22 from one of the committee members that is outlined.

1 M O T I O N

2 MS. SINGLETON: So move.

3 CHAIRMAN HALL: Second?

4 MS. BeVIER: Second.

5 CHAIRMAN HALL: All in favor of that, could I  
6 hear aye?

7 (A chorus of ayes.)

8 CHAIRMAN HALL: Any opposed?

9 (No response.)

10 CHAIRMAN HALL: The agenda is approved.

11 You will see in your board book that we have  
12 minutes from our meeting of April 27th. I would like  
13 to seek approval of those minutes or any changes.

14 M O T I O N

15 MS. SINGLETON: So moved.

16 CHAIRMAN HALL: Is there a second?

17 MS. BeVIER: Second.

18 CHAIRMAN HALL: All in favor, could I hear  
19 aye?

20 (A chorus of ayes.)

21 CHAIRMAN HALL: Any opposed?

22 (No response.)

1           CHAIRMAN HALL: Thank you. The minutes stand  
2 approved.

3           And I've been told that it is very important  
4 that we speak into the mikes. So those who may have  
5 questions from the committee or others speaking, in  
6 order for this to be recorded and also heard, it is  
7 important for us to kind of speak closely to the mike.

8           As many of the board members are aware, we  
9 have started focusing on issues of recruitment and  
10 retention of LSC staff members. And this has been an  
11 issue that we have focused on in one of our prior board  
12 meetings, looking at what are some of the obstacles and  
13 challenges to that particular issue.

14           However, today we are looking at that same  
15 issue. And we have an outstanding list of  
16 representatives who are going to focus on that. And  
17 I'd like to welcome all of them here.

18           However, before moving into that issue, which  
19 will take up most of our committee meeting, we have an  
20 update on the LSC private attorney involvement action  
21 plan, which we have also been focusing on for some  
22 time. And Karen Sarjeant, who has been, from the staff



1 perspective, leading that initiative for us, is here  
2 and will give us that update, and will also serve as a  
3 segue into our main topic for discussion before this  
4 committee.

5 So I will turn it over to Karen at this  
6 particular time.

7 MS. SARJEANT: Thank you, Chairman Hall. I am  
8 Karen Sarjeant, vice president for programs and  
9 compliance at the Legal Services Corporation.

10 The update on the action plan, "Help Close the  
11 Justice Gap: Unleash the Power of Pro Bono," is very  
12 brief. There is information about that in Helaine's  
13 board -- President Barnett's board report.

14 But I'm very pleased to report to you that all  
15 of the Tennessee programs have either passed board  
16 resolutions or are planning to within the next few  
17 days. So this will be one state with, as was noted  
18 this morning, four different programs. But they have  
19 taken this to heart and they are working very  
20 diligently to engage the board and the private bar by  
21 doing these resolutions and continuing the discussions  
22 in the community.

1           The other activities under the action plan  
2     are -- we have been working when we go to sessions such  
3     as the Southeast Project Directors Association. We did  
4     a session on enhancing private attorney involvement  
5     there. And we heard about the very exciting things  
6     that are happening in Georgia with the volunteer  
7     lawyers program and the Georgia IOLTA program.

8           We continue to work on a program letter. And  
9     as we do other visits and as we plan our participation  
10    in other activities around the country, we have -- for  
11    example, President Barnett will be doing a session with  
12    others from the IOLTA community at the ABA meeting in  
13    August in San Francisco.

14           And we're helping the mountain states programs  
15    plan a project directors meeting, and we will be  
16    talking with them about ways in which they can enhance  
17    private attorney involvement in those states that have  
18    particular challenges because of their distances and  
19    rural nature.

20           So those are some of the activities we have  
21    underway. We continue to look at the sabbatical  
22    project, and we have some projects in mind. And our

1 staff is working on several other related activities,  
2 such as the revision to the RFP for our competitive  
3 grants process, and other things that are focusing  
4 attention on how to engage private attorneys. So  
5 there's a lot of work underway on the action plan.

6 We also heard that Legal Aid of Northwest  
7 Texas recently -- their board recently passed the  
8 resolution. And as each day goes by, we hear from more  
9 and more programs that are actually doing the  
10 resolutions and getting out into their communities  
11 more. So we're very happy.

12 So as you can see, day by day, they are -- so  
13 Northwest Justice has just done theirs. And it is  
14 something that we think has really captured not only  
15 the attention but the interest of our programs and  
16 their boards as we all seek to find ways to expand  
17 services to eligible clients.

18 This afternoon, I'm very pleased to introduce  
19 this panel to the Provisions Committee to continue the  
20 board's focus on recruitment and retention issues  
21 and --

22 CHAIRMAN HALL: Well, before you make the

1 transition, I just want to make sure there aren't any  
2 questions from committee members or other board members  
3 about the action plan and things that are going on in  
4 regards to it, before we make the transition.

5 So are there any questions from any of the  
6 board members?

7 (No response.)

8 CHAIRMAN HALL: Okay.

9 MS. SARJEANT: Okay. Today's session will  
10 focus on executive leadership transition. As you know  
11 from the materials in your board book, and that's at  
12 page 19, LSC-funded programs are beginning to  
13 experience more leadership transitions as executive  
14 directors, some of whom came into legal services in the  
15 '70s or early '80s, are making the decision that they  
16 want to do some other things, that it's time to retire.

17 And so we have been looking at this issue, and  
18 it is an issue that is of concern to us because we want  
19 to be in a position to help programs provide guidance  
20 to them to help them plan for the transitions and  
21 ultimately do transitions that are a benefit to the  
22 program and to the client communities.

1           Some of the materials that we provided to you  
2 show what the numbers are in Legal Services-funded  
3 programs. Our 2006 data shows that 6.5 percent of our  
4 programs in 2006 had leadership transitions.  
5 Sixty-seven percent of programs are led by individuals  
6 who have been in legal services for more than 20 years.  
7 Thirty-two percent have been executive directors for  
8 more than 20 years. Ninety-eight percent of executive  
9 directors are over age 40.

10           And the diversity, the gender and race  
11 statistics show that 31 percent of executive directors  
12 are female, 75 percent are white, and 25 percent are  
13 people of color.

14           When you look through our other statistics  
15 that are reported to us, there are similar numbers as  
16 we look to the next levels of staff. So transition and  
17 how are programs are preparing for it and what that  
18 means are very interesting issues for us that we have  
19 to help plan for.

20           It's an opportunity for programs, and it's an  
21 opportunity for LSC to help programs with guidance.  
22 And so we intend to share the information that we learn

1 from panels like this. We intend to share information  
2 that we are learning from the nonprofit sector.  
3 There's a lot of writing and thinking and work going on  
4 around the issues of leadership transition. And we  
5 want to help programs as they begin to address this.

6 Today's panel will share with the board three  
7 different approaches that were used by their programs  
8 as their program leadership changed. We have asked  
9 them to share some very specific information with the  
10 board.

11 We have asked them to share with you the most  
12 critical steps taken by their board prior to, during,  
13 or after their executive leadership search. We have  
14 asked them to share with you the strengths and  
15 weaknesses of the process they used. We asked them to  
16 share the biggest challenges they have found in the  
17 transition, and then to give any specific  
18 recommendations that they have learned and have  
19 developed from this process to LSC and the board so  
20 that we can consider ways in which we can then take  
21 that and share it with other programs.

22 At this time I would like to introduce the

1 panel. And this is a combination of current and former  
2 executive directors, and an active board member who  
3 took a specific role in the process in one program.

4 So to my immediate left is Cesar Torres, who  
5 is the new executive director of Northwest Justice  
6 Project in Seattle. And next to him is Pat McIntyre,  
7 who was a long-time legal services director, both in  
8 Northwest Justice, and Evergreen before that, and  
9 Seattle-King County before that.

10 And next to him is Ashley Wiltshire, who we  
11 heard very many wonderful things about this morning.  
12 And he is the former executive director. Neil McBride  
13 was the interim executive director, and we've met Gary  
14 Hasepian, who is the new director. But at the time we  
15 were putting this together, Gary was not yet on board.  
16 So we wanted to have Neil share the search process and  
17 everything from his vantage point.

18 Next to Neil is Jessie Nicholson, who is the  
19 new executive director at Southern Minnesota. And next  
20 to Jessie is the former executive director, Bruce  
21 Beneke, who was there for many, many years. And next  
22 to Bruce is Terry Newby, who was a member of the board

1 committee -- he's a member of the board and was a  
2 member of the board committee that did a lot of work on  
3 the selection process.

4 So with that, I would like to turn this panel  
5 presentation over to them. I have asked each one, each  
6 group, to keep to ten minutes apiece so that the board  
7 will have plenty of time to ask questions.

8 MR. McINTYRE: Well, good afternoon. I'm Pat  
9 McIntyre, the former director of Northwest Justice  
10 Project. And I want to do a couple of lead-off things.  
11 Even given our ten minutes, I would be remiss not to  
12 thank all of you for the work that you do on the Legal  
13 Services Corporation board. I just can't tell you how  
14 important it is to us in the field and how much we  
15 respect and appreciate it.

16 And as myself being a member of a number of  
17 boards on a volunteer basis and knowing the work that  
18 we do on a smaller scale, I'm really appreciative, as I  
19 know all of us are, of what you do.

20 Secondly, I would like to thank you for taking  
21 on this issue because particularly having lived through  
22 the process, I'm acutely aware of how important it is



1 going to be to encourage -- to give programs  
2 encouragement and support as they go through this. I  
3 think that raises a lot of questions, probably, about  
4 what the exact role ought to be for Legal Services  
5 Corporation as a funder, or any funder, for that  
6 matter.

7           But I think it's pretty clear that assuring a  
8 flow of good information to programs and sending strong  
9 signals about the corporation's support for their  
10 taking a very rational and individualistic approach  
11 that meets their needs and their circumstances is going  
12 to be valuable.

13           And that provides me a good segue, I think, to  
14 talk about the way we've divided what I want to talk  
15 about in the way that we've divided it, and that is I  
16 want to talk about the key decisions that were made  
17 before C\_sar was even known to anybody at Northwest  
18 Justice Project. And I want to give you just a little  
19 quick road map so that you can follow this. It's  
20 pretty simple.

21           In January of 2006 -- really, late  
22 December -- is when I advised our board that I thought

1       it was time for me to make this transition out of legal  
2       services and into at least semi-retirement. And I set  
3       them a time deadline of June 30th.

4               Basically, I tried to make clear from the very  
5       beginning that I had strong feelings that this was a  
6       board process, and it was not something that the  
7       board -- which comes to rely on the director, and  
8       rightly so -- the board certainly cannot just turn this  
9       over and say, well, tell us who's going to succeed you  
10      and what should we do.

11              And there are a lot of good reasons for that  
12      in terms of what the board's responsibilities are. But  
13      if you look to the future and you care about the  
14      organization, then it seemed to me then, and I  
15      certainly believe this now, having seen the process  
16      work itself through, that without the board really  
17      taking this on and making it their job and their  
18      responsibility and doing some things they're not used  
19      to, I just think it's a tremendously good opportunity  
20      that's lost.

21              So that was a key thing right on, is saying, I  
22      know this is difficult. I know that with all the other

1 things you do, you don't want to hear that you have to  
2 figure out how to get a whole new director now to do  
3 that. And I have to say, just so that you're aware of  
4 this, there was a tendency on the board to basically  
5 initially, at least, say, well, you must have somebody  
6 in mind. And who is it, and can't we just move  
7 forward?

8           So one of the big things for me was to break  
9 that way of thinking immediately, and to say that I was  
10 going to have to be removed from the process. That is,  
11 I'm here to tell you things about the program. I will  
12 make myself available to you and anybody. But what I  
13 can't do is come in and like do the job description for  
14 you. You need to do all of that sort of stuff.

15           So that was a big step. And it worked very  
16 well so that the board pretty quickly was at a place  
17 where it would seek my input and the benefit of my  
18 experience, but was very clear that the board was  
19 making the decisions. And I think that that was very  
20 valuable.

21           Now, our board, like this board and I would  
22 assume all program boards throughout the country, is a

1 very zealous guardian of the fisc. I mean, that's one  
2 issue where you can be sure that boards are very  
3 cautious and concerned and careful.

4           And so when you raise things, like the costs  
5 of bringing in a consultant, or doing a national  
6 search, or finding some really excellent candidates and  
7 flying them in and maybe putting them up for a night,  
8 sometimes, well, what about their spouse? You're  
9 asking somebody to move from way across the country,  
10 put their kids in a different school.

11           The first reaction I think that you can expect  
12 of boards throughout the country is going to be  
13 discouraged to think that way. And so one of my  
14 biggest tasks and challenges was to remind over and  
15 over again the board to understand that we're talking  
16 about a \$20 million annual budget here, and we're  
17 talking about 150 employees, and we're talking about a  
18 lot of very serious, difficult tasks.

19           And any organization that had that size and  
20 that budget and that complexity would be seriously  
21 looking all around the country unless there was some  
22 particular -- something about their circumstances that

1       drove them in a different direction.

2                   So those two things happened.  And then I want  
3       to just briefly touch on one final thing they do.  And  
4       it has the same concern, that, well, can we do that?  
5       And how much is that going to cost?  And will LSC come  
6       down -- boards ask those things.  Is LSC going to be  
7       okay with this?

8                   One of the things that came up was that when  
9       C\_sar was selected, the timing, because of his  
10      circumstances, professional and family, he wasn't able  
11      to come as soon as everybody had hoped.  And so then  
12      there was a need to extend my tenure for a while.

13                   And then after he came -- and he'll talk more  
14      about this -- again, because of the circumstances, what  
15      really made the most sense in our program and has  
16      proved to be very good was we needed a period of  
17      overlap.  We needed a time during which I would no  
18      longer be director and he would.  But I would not be  
19      separated from the program so that I could introduce  
20      C\_sar to key people -- like Mike McKay, for example,  
21      was one of the people with whom we met, and that has  
22      been very productive.

1           And here again, the board will ask things  
2     like, well, but then there would be two directors here,  
3     in effect. And are the auditors going to come down on  
4     us? And so on.

5           So I think those things were very vital in our  
6     circumstances. Because we were able to do a national  
7     search, we were able to find a very well-qualified  
8     person. We were able to follow through on our  
9     commitments to have a very diverse pool of candidates.  
10    And the board learned the perspectives of somebody that  
11    comes from somewhere else in the United States and has  
12    had different background experiences at a different  
13    program and a different way of looking at things.

14           So those are things that I would commend to  
15    this committee and to the board, that you support those  
16    kind of things. And I hope that's helpful. And let me  
17    pass it on to C\_sar.

18           MR. TORRES: Thanks, Mac. And I too wish to  
19    thank Chairman Hall and the Provisions Committee and  
20    Helaine for putting this together and giving us an  
21    opportunity to share some of our experiences in this  
22    very important issue.

1           One of the side benefits that may not be as  
2     apparent to Mac -- Pat McIntyre -- is that his decision  
3     to step out of the process and put it squarely in the  
4     lap of the board of directors has resulted in a level  
5     of engagement and involvement by the board that I think  
6     they hadn't quite felt the need to have.

7           And it's an extremely healthy development  
8     because obviously, as a director, they had relied on  
9     Mac for a lot of guidance. And he was nurturing them  
10    and developing them. But now they are really feeling  
11    like a vital, controlling, contributing part of the  
12    program, perhaps in a way that they hadn't felt before.  
13    And they're very invested.

14           And I think that just at our last board  
15    meeting, we did pass the PAI resolution. And there was  
16    a level of interest in getting out there with it that  
17    was very exciting. But that's another benefit that  
18    resulted from the transition.

19           I think that one of the most important steps  
20    that was taken, having made the decision to have a  
21    national search, you of course face the possibility  
22    that you'll have someone like myself, who had never set

1 foot in the state of Washington prior to coming in for  
2 my first interview on June 30th last year. And so one  
3 of the most important decisions that was made was what  
4 Mac just alluded to in terms of allowing for an  
5 overlap, making the conscious decision that there  
6 should be an overlap.

7           And this is especially important when you have  
8 a statewide program such as ours. We had ten offices  
9 at the time, thirteen with some satellites, 150 staff  
10 scattered all over the state, not easily accessible  
11 transportation-wise, and so on.

12           And so giving the opportunity for an overlap  
13 allowed for a stage -- there was a period of time in a  
14 month where Mac and I visited every office. And it was  
15 me being introduced, and it was quite powerful. There  
16 was a level of symbolism and practicality at the same  
17 time of Mac coming to an office, staff he had hired for  
18 the most part, and people who knew and trusted him, and  
19 him being able to report on the report of his national  
20 search, and that this was the person, and that he's had  
21 a chance to know me. He's very happy with the decision  
22 of the board. And just communicating that in the



1 context of him saying goodbye and me getting to know  
2 everyone and saying hello.

3           And there was a real passing of the torch  
4 element to this, and a very intimate level with the  
5 different offices that I think has had a tremendous  
6 benefit in terms of easing a transition like this when  
7 there's a program that's had the same director for the  
8 last ten years. Everybody knew the culture. And I  
9 think that there was a fair amount of anxiety on the  
10 part of people that there's this guy coming from  
11 Newark, New Jersey. Who knows what he's thinking. And  
12 that was an important thing.

13           And so allowing for that transition, that  
14 overlap, has made the transition extremely smooth  
15 internally. And there was a very important thing that  
16 we did on those. In addition to all the meetings and  
17 briefings and so on, we would sit in the plane and we  
18 would talk.

19           And we would talk about the issues, the  
20 personalities, the institutions, because of course, the  
21 Northwest Justice Project is a vital part of an  
22 alliance for justice in the state of Washington that is

1 a very mature community. And there's some very complex  
2 relationships.

3           And that is an overlay that would have been  
4 very hard to communicate if we hadn't had that overlap  
5 and that exposure of time. And because of  
6 introductions that were made, of course with Mike McKay  
7 but many other members of the community. And that was  
8 extremely valuable and important as well in terms of  
9 easing my transition and the whole program's continuity  
10 in the community. So a statewide program with this  
11 kind of presence, it was an excellent decision to make.

12           I would only add just one more quick thing. I  
13 think the fact that there had been a national  
14 search -- and every program is unique and has unique  
15 circumstances. But I think that a national search is  
16 has extremely valuable effects or benefits.

17           One of the things that happens is that  
18 regardless of the outcome of the search, whether you do  
19 hire the deputy or you do hire someone from across the  
20 street or across the country, is a message that's  
21 communicated to the program and community. And that is  
22 that this board is dedicated, and they're going to do

1     what is best.  They're going to try to find the best  
2     thing they can do for the program.

3             And in the end, whether it is a local person  
4     or a person from far away, there is an imprimatur of a  
5     process that was designed with the best interests of  
6     the program in mind.  And yes, it was the deputy, and  
7     we looked around and it's still the best person; or we  
8     were fortunate and found someone that really seems to  
9     fit well.

10            And that, I think, also has a great beneficial  
11     effect.  And again, we recognize and I recognize that  
12     every program is unique and has its own  
13     characteristics.  But certainly something that the  
14     board could -- in terms of the role of the board, is to  
15     be communicating the different options and the  
16     positives to be considered in making such a decision.

17            I think the only other point that I would add  
18     is that there is also a less tangible, perhaps, benefit  
19     to a national search.  In 2006, I was 21 years in legal  
20     services, 21 years from my graduation in law school.  
21     And I'd been doing really trenches work for many years,  
22     and had started to look around for some different work.

1           And I hadn't been thinking of going clear  
2 across the country. But there was a real possibility  
3 that I might end up legal services, which is I had gone  
4 to law school, to go to legal services. And but for  
5 this national search being conducted, which just  
6 created the possibility, it certainly has allowed me to  
7 continue to do what I have been dedicating myself to  
8 doing.

9           And so on the personal level, it's very  
10 satisfying. And I think what it also allows is for  
11 other individuals, perhaps, to step up and take up  
12 opportunities for leadership because of course there  
13 are many, many more advocates working than there are  
14 positions such as these. And that creates probably a  
15 healthy buzz, if you will, within the community when  
16 those kinds of things happen.

17           And just supporting the programs and  
18 communicating these different considerations in a  
19 supportive way will probably be a great way to help as  
20 transitions come in. Thank you.

21           CHAIRMAN HALL: Thank you.

22           MR. McBRIDE: Well, I've been instructed by my

1 former executive director to go next, and for old  
2 time's sake I will go ahead and honor that. And as Mac  
3 and C\_sar have talked of, I've sort of scratched off  
4 several of the ideas that I thought were important to  
5 offer to the committee here.

6 And I'll just quickly first start by answering  
7 the questions Karen posed about the critical things  
8 that the board did. And I would identify three things  
9 very quickly.

10 The board adopted a transition plan, well  
11 before this process began. They adopted a succession  
12 plan so that in the event that Ashley was not replaced  
13 by the time we were able to hire a new person, we knew  
14 just what would happen and where responsibility would  
15 lie.

16 And then the last thing is when we started our  
17 recruiting process, the board established -- and by the  
18 way, it would not have occurred to our board not to  
19 take firm control of this process. This was not  
20 something that Ashley or anybody else had to talk them  
21 into. And they appointed a board staff and community  
22 council community to engage in this search.

1           And one of the creative things that Ashley did  
2           in the last few years for the program was in addition  
3           to our board of directors, he organized what we call a  
4           community council, who are typically business leaders,  
5           community leaders, who could be taught about legal aid  
6           and who wanted to support us.

7           And just as a very quick aside, without being  
8           too gruesome, one of them died and gave us a million  
9           and a half dollars in his will. But it was not about  
10          the money. It was about spreading the knowledge and  
11          the support of legal services throughout the community.

12          But two members from that council were on our  
13          search committee, and they brought a perspective that  
14          neither the staff nor the attorneys from firms or  
15          private practices had in this kind of operation. And  
16          it was really valuable.

17          So those were three things they did that we  
18          thought we critical.

19          I said that we had a succession and a  
20          transition plan. Gary has been in the job for about a  
21          week, so it's a little too early to say how the  
22          transition plan is working. But I have to say that the

1 critical part of some of that was a series of small  
2 notes that Ashley left Gary behind in his office.

3 One of them was, "I need to organize this  
4 file." That's dated 7/17/07. This, I thought, was a  
5 really good summary of the responsibility of a new  
6 director: "Statewide legislators -- recognition,  
7 contacts, work with Cindy," who's our development  
8 director, and, "work through TOWELS," who you all heard  
9 about today. "Open door to staff." "Auditors are your  
10 friends." "Finances, finances, finances."

11 And you all will appreciate this as the board:  
12 "Dictate minutes of board meetings immediately." So  
13 those are some of the things. But here's my favorite,  
14 which is written in big letters: "Gary, I can explain  
15 everything. Give me a call. Ashley." So like I say,  
16 we're still sort of waiting to see how our transition  
17 plan is working.

18 But we had a little different experience. We  
19 were committed to a national search, and we didn't get  
20 a national pool. And I want to talk with you about  
21 that just for a minute and see if I can identify some  
22 of the factors that went into that result.

1           But before I start that, and with my present  
2 director sitting right behind me, I want to say real  
3 quickly that even without a strong national pool, we  
4 consider our process to be a success. I mean, we had  
5 several candidates who were internal and who were local  
6 who could have brought very valuable, distinct, and  
7 significant strength and leadership to our program.

8           So in talking about the disappointment that we  
9 felt in not having a national pool, it is not at all to  
10 imply that we had any disappointment whatsoever with  
11 our pool as it stood, and certainly not with our  
12 result. You all heard Gary this morning. His resume  
13 is in the staff profile compilation that we've given  
14 you.

15           You can see that he brings a really diverse  
16 group of experiences, leadership, and commitment to  
17 this job. So when I talk about having some questions  
18 about our national search, it's just obvious that we  
19 are pleased with the result that we got.

20           But I'll offer three points about the national  
21 search. It takes a lot of time to recruit national  
22 candidates. There are growing obstacles to finding



1 experienced directors from within the legal services  
2 community. And as a result of these factors, most  
3 organizations need to be much more intentional and  
4 far-sighted -- in other words, getting started  
5 soon -- to develop their internal and local candidates.

6           And I'm going to say one other kind of  
7 introductory note, which is to the extent that we did  
8 get promising inquiries from middle managers in other  
9 legal aid programs, they typically came from people  
10 who, like Deb House, who you heard from this morning,  
11 were participants in your mentoring program. And it  
12 was partly because the mentoring program encouraged  
13 them to see themselves as leaders, and to understand  
14 that they had what it took to lead a program.

15           And then there was the more political issue of  
16 the people who were involved in the mentoring program  
17 could call me and say things like, you really ought to  
18 go call Mary because she was in our program and we saw  
19 her and she really seemed good.

20           And so that was a networking opportunity for  
21 those who were being mentored. And so to the extent  
22 that we got inquiries at all, they tended to come from

1 that opportunity that you all have created.

2 But in the end, even though we got some  
3 inquiries, we had some conversations, when it came time  
4 to interview people, all of our interviewees were  
5 local. And this was after a search involving NLADA,  
6 MIE, talking to a lot of people around the country, and  
7 making direct calls to several dozen people, including  
8 directors, middle managers, legal aid leaders all over  
9 the country. And here's what we learned. Three  
10 things, real quick.

11 It takes time. I'd love to hear your personal  
12 circumstances, C\_sar. You talked a little bit about  
13 your family and your looking around. But the fact is  
14 that in one quarter of a year there will be one group  
15 of people who are ready and willing to look at a job  
16 because of school, business, health, vacations,  
17 whatever people do. And in another quarter of a year  
18 there will be another group.

19 And there is a sense that, well, we've done  
20 all of our advertising. We've called everybody. And  
21 so now we've got to go on. Fortunately, we had a good  
22 pool to go on with. But the fact is, in another six

1 months we would have had a different national  
2 experience. And it takes time. So that's one point.

3           The current pool of directors: In a lot of  
4 industries, in a lot of nonprofit fields, in United  
5 Ways, the typical progression might be somebody in a  
6 small program who's succeeded would look to go to a  
7 bigger program.

8           We really felt that we had a lot to offer. I  
9 mean, you all heard this morning about a lot of  
10 strengths of the Legal Aid Society. We're financially  
11 stable. We have great fundraising. We do great  
12 advocacy. We're known around the country as a solid  
13 program. And we really expected to have a group of  
14 middle managers, or even small program directors,  
15 apply. And as I said earlier, that didn't happen.

16           In addition to the time, the pool of people  
17 who are willing to do that is small for at least three  
18 reasons. At the director level, as Karen said, a lot  
19 of people are toward the end of their career and not  
20 interested in this kind of challenge. And even the  
21 leading middle managers that we heard about have been  
22 around for a long time, and were really sort of focused

1 on their own program and their own community, even if  
2 their own directors seem to be around forever. So  
3 there's a small pool.

4 The second reason is the good directors around  
5 the country are often good because of their ties to  
6 their community. Ashley, as you could tell from this  
7 morning, is known around the country as a really  
8 effective director. He got the Reginald Heber Smith  
9 Award one year, and has been a leader in a lot of  
10 national efforts, and is just known as being effective.

11 I find it hard to conceive that he would ever  
12 have applied for a job in L.A. or Chicago or Seattle  
13 during his career because part of his strength and his  
14 commitment was to this community. And as I started  
15 looking for people who we might call around the  
16 country, I knew that they all had that same commitment.  
17 So it's hard to get people to think about moving  
18 because they're good because they're committed to their  
19 communities.

20 And then, finally, even though after Ashley  
21 got out of the way we were able to raise our salary for  
22 the executive director position, the fact is most of us

1 around the country are paying directors in the very low  
2 six figures. And that seems like a lot to most of us,  
3 but if you're a professional in the middle or toward  
4 the end of your career and you've got a family, it's  
5 really probably not enough to make you want to get up  
6 and move, and buy a new house in a new housing market,  
7 and do the other things that a relocation requires. So  
8 I think that was a barrier to a lot of people who in  
9 other industries and fields might have been thinking  
10 about relocating.

11 So the message is, for us, at least, and I  
12 think this has been the experience with a number of  
13 other programs around the country who've recently  
14 replaced their directors, is that while C\_sar is  
15 correct in the philosophical and other reasons for  
16 doing a national search, at the same time you've got to  
17 be developing people internally and really looking  
18 around the local community for who might be an  
19 appropriate candidate.

20 And then you've got to be getting them  
21 involved in the work, serving on committees, going to  
22 NLADA conferences, whatever you can do to get their

1 interest up, prepare them for something, and have a  
2 chance to assess how they really would function in our  
3 community.

4           So I'm really suggesting a much more early and  
5 intentional look at internal and local leaders. And  
6 even if they don't apply for a director position that  
7 might emerge in a year or two, they might be good  
8 candidates for the board, for a community council, for  
9 fundraising, for the local bar campaign leadership.  
10 There's lots of other ways that that investment can pay  
11 off for a program.

12           So that's kind of our experience. And I would  
13 just one more note. We're talking here about executive  
14 directors, but you heard this morning about some people  
15 who can accomplish really good results for their  
16 consults because of their experience.

17           And I've been encouraging programs around the  
18 country to think about what I call advocacy succession  
19 as well as director succession. In other words, you've  
20 got a person here who can call up the state welfare  
21 director and say, do you know your people in the field  
22 are doing this? Can you do something about it?

1                   And they're on the commissions. They're on  
2 the study groups. And they can accomplish a lot  
3 because of their 20 or 30 years of experience. And  
4 most of us are not thinking very deliberately about  
5 who's going to do that when they leave.

6                   So they need to be bringing the younger people  
7 with them. They need to have other people sitting in  
8 in the meetings, going with them to the commissions,  
9 co-counseling on the litigation, and just being very  
10 deliberate about making sure that our clients don't  
11 lose that generation of experience and advocacy the way  
12 we're about to lose a generation of people who came  
13 into our field in the '70s and the early '80s. A  
14 different topic, but at least it is important, if not  
15 more important.

16                   CHAIRMAN HALL: Thank you.

17                   MR. WILTSHIRE: Obviously, the most important  
18 thing is that an organization in the position of going  
19 through a transition could do would be to have on its  
20 staff a general counsel who's as thoughtful and  
21 thorough as Neil is, and can see the organization  
22 through that transition, both functioning as the

1 general counsel and as interim, as he has.

2           And so I think that's one of the great things  
3 about our process, that we've been sort of doing this  
4 for the last six months even though the only overlap  
5 between me and Gary is these random notes I left around  
6 the office strategically placed.

7           To echo Pat's initial thanks to you, I think  
8 also a very important thing that you can do is what  
9 you're doing now. In thinking back, at one point this  
10 morning someone alluded to the early '80s and the  
11 struggles that we went through and the hostile LSC  
12 board and all the -- what you're doing now makes this a  
13 more friendly environment.

14           And anything that you can do to help people at  
15 the local level do what it is they have to do to  
16 deliver the services to the people as a high quality  
17 law firm, that's what makes the job easier and better.  
18 That's what has made it possible in the past few years  
19 to do many of the things that we've done, to be freed  
20 up to do that, to not be burdened down with a lot of  
21 bureaucratic stuff that we have to deal with to be free  
22 to do the work.



1           So that's really, really important. And it's  
2           important that our local boards understand that. As  
3           Neil indicated, there was never any question that our  
4           board was going to take charge of this. And I was very  
5           happy not to be a part of it, and just so pleased to  
6           see them take the initiative and hire a consultant. It  
7           was difficult for me to see them spend the money for  
8           that, but that was so important. It established the  
9           process, and did it very well.

10           The only other thing that I would say that we  
11           really need to sort of get in our heads about this  
12           deal, and maybe this is what these departing directors  
13           need to hear more than others. But it is that this is  
14           going to be a new era.

15           Reflecting back, we can tell stories about the  
16           '80s. We can tell stories about the '70s. Some of us  
17           can tell stories about the '60s. And it's important  
18           that those stories get told and that they keep on being  
19           told.

20           But the other thing we have to remember is  
21           that it's a new day. And really and truly, Gary and  
22           Neil and the others on the staff and the board and the

1 community advisory council, it's going to be a new day.  
2 And that's good. There are going to be new ways of  
3 doing things, and hopefully folks can -- so I really  
4 think it's more exciting than I initially envisioned.

5 CHAIRMAN HALL: Thank you.

6 MS. NICHOLSON: Good afternoon. My name is  
7 Jessie, and thank you for inviting the three of us here  
8 from Minnesota. We're really pleased to be here this  
9 afternoon. And I'm in a unique position in that I  
10 haven't taken over yet. That won't happen until next  
11 Wednesday.

12 And so what I'd like to do, even though we're  
13 seated in this order, would be to turn it over to  
14 Bruce, the outgoing executive director, to let him tell  
15 you all why he made a decision to step aside and what's  
16 happening next; and also to our board member, Terry, to  
17 talk about the process. And then I'll wrap it up with  
18 a couple comments myself.

19 Karen had said that we should have ten  
20 minutes, and so we divided it up that I would have two  
21 minutes, and Bruce would have two minutes, and Terry  
22 would have six because the process is very important.

1 So if you don't hear much more from me other than two  
2 minutes, that's why that happened.

3 So I will turn it over now to Bruce to let him  
4 speak about his decision to step aside.

5 MR. BENEKE: Thank you, Jesse. And Chairman  
6 Hall, Chairman Strickland, and members, I echo Jessie's  
7 thanks for this outstanding opportunity, and also echo  
8 all the comments to all of you, paying our respects for  
9 your outstanding service in letting you know that your  
10 positive and creative support of legal services means a  
11 lot to us in the field. And Chairman (sic) Helaine  
12 Barnett has done a wonderful job along those lines.  
13 And so your work is noticed in the field.

14 The background of SMRLS: We're a program that  
15 covers about 40 percent of the low income population of  
16 Minnesota. We're headquartered in St. Paul. We have  
17 about an \$8.5 million budget, about 100 staff members,  
18 eight main offices, a variety of programs, and we work  
19 in cooperation with the other legal services programs  
20 in Minnesota.

21 SMRLS itself is almost a hundred years old.  
22 We're going to have our centennial in 2009, although

1 we've had a few name changes, and we're excited about  
2 that. And we've been blessed as an organization over  
3 the years to have developed a very hands-on board of  
4 directors.

5           And so when it came time to make the decision  
6 to step aside, I made it in the context of having a  
7 program that has a board that was very involved in  
8 developing the strategic plan that SMRLS has and  
9 overseeing that strategic plan; a board of directors  
10 that was very involved in developing written practice  
11 standards for what we expect of our lawyers and our  
12 paralegals and others, and implementing that; and a  
13 board that has instructed us and encouraged us on  
14 leadership development, and as part of that, being in a  
15 program that's been very blessed to have extensive  
16 leadership within the program of great experience, with  
17 leadership members carrying on a lot of program- or  
18 firm-wide responsibility working with the board of  
19 directors.

20           I think the last thing that came together for  
21 me to step aside was Neil. Neil and his team did a  
22 wonderful peer review of SMRLS in 2005. We got an

1 excellent report. It was very helpful. I had been  
2 thinking for a while of stepping aside, and that was  
3 the nudge I needed in two ways.

4 First of all, it reminded me of what my role  
5 is as a senior leader in SMRLS, and that's to do my  
6 best to look out for the mission of SMRLS and the  
7 long-term organizational needs of low income persons.  
8 And that means you've got to look seriously at  
9 succession and transition planning.

10 And secondly, it just sort of helped me  
11 overcome my own little inertia, reluctance. It's more  
12 on a psychological level. And so shortly following  
13 that peer review visit, I let some of our board members  
14 know in February of 2006 that this is something that I  
15 was very interested in doing, working out a transition  
16 sort of thing.

17 I met with the board two or three times  
18 informally to chart out what that might look like and  
19 to get their thoughts and ideas and things. And then I  
20 sort of let go of it. And the board took it over in  
21 April 2006. Terry Newby, to my left, has done a  
22 tremendous job of providing the senior leadership to a

1 very experienced board of directors and carrying out a  
2 very in-depth process. And I'm going to let Terry talk  
3 about all of that.

4           And much like Pat, actually my role after that  
5 became not to be involved other than I was sort of the  
6 staff person for the board in the sense that I would  
7 compile a lot of different information about different  
8 things that they asked me to compile for them. But  
9 that was the extent of my involvement.

10           The board ran with it. Went through a very  
11 thorough process. We had an outstanding decision last  
12 fall in selecting Jessie Nicholson to be our new  
13 leader. And we made a decision internally -- it was  
14 very secret -- made a decision internally to announce  
15 it in February of 2007.

16           We had a rollout plan that was similar to what  
17 it sounds like in Washington. The board was very  
18 involved in that rollout plan for the remainder of the  
19 staff. And Jessie, having been a 22-year warrior  
20 within SMRLS already, brought a vast amount of  
21 experience and all kinds of firm-wide activities as  
22 well as having a separate outstanding reputation with

1 the Minnesota State Bar Association, with the  
2 judiciary, and with lawyers throughout the state of  
3 Minnesota.

4 I can't say enough about the work of the board  
5 of directors, and I want Terry to talk about that  
6 because he's the one that's given up all his billable  
7 hours to come all the way down here. I found in my  
8 30 years of being director that one of the best things  
9 we can do as staff is to be quiet and to let our board  
10 members talk. And I really encourage you, in your work  
11 on all of these important issues, to continue to talk  
12 to board members as well as the staff members like all  
13 of us.

14 So this is a wonderful time for me. I mean, I  
15 feel very grateful and lucky to have had one of the  
16 best jobs there is for the past 30 years. And it's  
17 mainly working with wonderful people like all of you,  
18 all the people in SMRLS. It's been a tremendous  
19 opportunity. And SMRLS is going to be extremely  
20 well-served, and probably going to be even a little bit  
21 better with Jessie Nicholson in charge.

22 So with that, I'm going to turn it over to

1 Terry to talk a little more about how the board took  
2 control, and the unique steps they took.

3 MR. NEWBY: Thank you, Bruce. And thank you  
4 all for inviting me here. As a private sector  
5 employee, I've learned a great deal being here at this  
6 meeting. And I have a great deal of respect for the  
7 organization, not just SMRLS but also LSC. And I want  
8 to thank you for all the support you provide to legal  
9 services.

10 I agree, first of all, with the comments from  
11 Pat and C\_sar about the need for an independent board.  
12 Something as important as leadership transition has to  
13 be done by the board. And although I think in our case  
14 we certainly used Bruce as a resource, the important  
15 decisions were made by the board independently of  
16 Bruce. We considered his input, and most of the time  
17 listened to what he had to say.

18 MR. BENEKE: For a change.

19 MR. NEWBY: For a change, yes. See, you have  
20 to leave before we actually listen to you. But I  
21 wholeheartedly agree with those committees, that it has  
22 to be an independent board decision and the board has



1 to have the strength to make decisions, with the  
2 outgoing executive director but sometimes doing what  
3 the board needs to do.

4 We took a different approach to the  
5 leadership. We picked an internal candidate. We did  
6 not do a nationwide executive search. And part of our  
7 decision to pick an internal candidate was driven by  
8 two factors. First, we were very fortunate to have  
9 Jessie Nicholson, who is a long-time SMRLS employee,  
10 has a wonderful reputation within the community, knows  
11 the organization top to bottom, and was more than  
12 capable of stepping in and fulfilling the role of  
13 executive director.

14 But when Bruce told us that he was stepping  
15 down, it was a shock because he had been the leader of  
16 SMRLS over 30 years. He's an institution in Minnesota  
17 legal aid circles. There are a lot of SMRLS employees  
18 who think that Bruce was just standing there and they  
19 built the SMRLS building around him. That's the sort  
20 of force that he has.

21 But when he told us that he was interested  
22 in stepping down, we as a board conducted really a

1 top-to-bottom analysis of the health of the  
2 organization. And that analysis sort of drove our  
3 decision as to whether we were going to go internal or  
4 whether we were going to do an external search, either  
5 locally or nationwide.

6 And we looked at every facet of the  
7 organization. We looked at whether we were happy with  
8 the perception of the organization among lawyers, among  
9 the bench and the bar. Does the organization have a  
10 good reputation? Is it providing legal services,  
11 quality legal services, to low income people?

12 And after doing that analysis, all of the  
13 board members who come from across Minnesota concluded  
14 unanimously that we have something very good here.  
15 We're happy with the organization. We're happy with  
16 the direction that it's going in. And most  
17 importantly, we're happy with the quality of the  
18 services that the organization is providing and the  
19 reputation that the organization has.

20 That top-to-bottom analysis was, in our view,  
21 the most important step because that determines whether  
22 or not to look internally or locally or externally.

1 And because we're happy with the state of the  
2 organization, we felt that we should look first  
3 internally and locally.

4 The next step to do was to figure out if there  
5 was anything that we would like to have differently. A  
6 leadership change is an opportunity for change, and if  
7 the board wants anything done differently, this is the  
8 chance to do it. What do we want from the new  
9 executive director? What would we be unhappy with?  
10 What do we want to see done differently in the  
11 organization?

12 The next thing would be to develop a  
13 comprehensive set of leadership criteria. And all this  
14 was done before making a definitive decision about  
15 going internal or external. So we had a comprehensive  
16 set of leadership criteria that we wanted the next  
17 executive director to have.

18 And this process took, oh, many months. And  
19 it was important, and it was grueling at times. But  
20 developing those leadership criteria before making the  
21 final decision to look internal or external was really  
22 important because we were comfortable then, knowing

1       that we knew exactly what we wanted from the executive  
2       director.

3               And having made those determinations, we felt  
4       as a board that we were very fortunate that SMRLS had  
5       cultivated charismatic leaders and that we had someone  
6       like Jessie Nicholson, who not only had the experience  
7       with SMRLS but the knowledge of the organization and  
8       the good reputation within the community, among the  
9       bench and the bar. And we felt that she would be more  
10      than capable of stepping up and satisfying the role of  
11      executive director.

12              The process took us well over a year, and I  
13      think to do it right it has to take at least that long,  
14      particularly when you haven't had a leadership  
15      transition for as long as we've had.

16              You know, there are a couple thoughts about  
17      the nature of the leadership transition. And we've had  
18      a lot of discussion about external or internal. And as  
19      we were going through our process, shortly after we had  
20      reached the decision that we, A, were going to do an  
21      internal search; B, that Jessie had satisfied our  
22      leadership criteria and that we were satisfied that she

1 actually could do this job with what we wanted.

2           And after we had gotten all that done, I was  
3 driving to work one day and I was listening to a speech  
4 on the radio from Bill George. Bill George is the  
5 former CEO of Medtronic, which is a Minnesota medical  
6 products manufacturing company. And he was  
7 responsible, basically, for growing that company into  
8 the behemoth that it is.

9           And it was a very interesting speech until he  
10 got to the part where he was asked a question about  
11 what leadership role should a board have. And he said,  
12 "Well, I've got some very strong thoughts on that."  
13 And I thought, oh, no. He's going to skewer everything  
14 that we just did.

15           And he said basically that in his  
16 opinion -- this is just one man's opinion -- but a  
17 board should always look internally first to select new  
18 leadership or CEO or executive leadership, and that in  
19 his opinion, if the board has to go outside the  
20 organization, it's probably a sign that the  
21 organization is not doing a good enough job of  
22 cultivating people within. And that's just one

1 individual's opinion. And obviously, each organization  
2 is different. And I completely agree with the comments  
3 of Pat and C\_sar that each organization has to make its  
4 own decision for itself.

5 But coming from someone like that, who's on  
6 the board of Exxon Mobil and Goldman Sachs -- I  
7 actually wrote down all the boards that he's on.  
8 Novartis. The Carnegie Endowment for International  
9 Peace in the World. Economic Forum USA. So he knows  
10 something about boards. And it gratified and  
11 reinforced the decision that we made to make the  
12 internal search, and we were very fortunate that we had  
13 someone as qualified as Jessie. Again, each board has  
14 to make that independent decision.

15 But I'm very pleased with the decision that we  
16 made. It was a very thorough and very grueling  
17 decision. And we didn't rule out anything until the  
18 very end. Jessie went through a number of interviews  
19 with a number of different board members, separately  
20 and independently. I'll let you talk about how many  
21 interviews you went through.

22 But we had to make absolutely certain that we

1       were satisfied that Jessie could do it. And if not, we  
2       would have selected -- or undergone an external search.  
3       But I'm very pleased with the process that we made, and  
4       it was reinforced, I think, with the positive accolades  
5       that we got from the community over our selection of  
6       Jessie.

7                So if I had to wrap up three points, I would  
8       say any board has to do first a top-to-bottom analysis  
9       before you even decide what kind of search you're going  
10      to do. And you have to figure out whether you want  
11      anything done differently. You have to develop a  
12      comprehensive set of leadership criteria. And then,  
13      most importantly, you have to figure out whether have  
14      the people within the organization.

15               And if you don't, it's perhaps a sign that you  
16      need to go out externally. But then the next iteration  
17      of that organization really has to develop the  
18      charismatic leaders within the organization to make the  
19      next transition even smoother.

20               So thank you.

21               MS. NICHOLSON: These are my last two minutes  
22      I guess I have right now.

1           The board came to me -- I guess it was in the  
2           spring of 2006, probably April or May, and said that  
3           Bruce had made an announcement that he wanted to step  
4           aside. Asked me whether or not I'd be interested in  
5           being considered. But they were very clear with me  
6           that they had not made a firm decision as to whether or  
7           not to go outside.

8           They started the interview process  
9           probably -- I think it was July or early August, was  
10          the first of three interviews, very long interviews,  
11          after working hours, starting at 5:00 and going until  
12          10:00 or 10:30 at night sometimes. Three of those  
13          kinds of interviews, and at each interview they  
14          reiterated the point. They said, Jessie, we have not  
15          made an affirmative decision as to whether or not we  
16          will do an external search. But we want to continue  
17          the process of talking about the leadership criteria  
18          that we've developed and to see whether or not you meet  
19          our standards.

20          And so each of those very long interviews, I  
21          walked in there thinking, what am I doing? This is  
22          very, very unsure. But I went through the process, and



1 in October of 2006 an offer came for me to be the  
2 executive director. Terry called me up in my office  
3 and Terry said, we'd like to have a decision right  
4 away. And I thought, wow. Okay.

5 So I gave them a decision. Two weeks after I  
6 gave the decision, I got on an airplane and I went to  
7 Italy, which was a prearranged trip to go to Italy.  
8 And I went to a monastery in Tuscany for some  
9 much-needed down time. And I got to this monastery and  
10 remember thinking to myself, oh, no. What did I just  
11 do? I started talking to myself. But luckily, the  
12 friars that were there couldn't understand any English,  
13 so that was fortunate on my part.

14 So I came back from that experience of being  
15 away and had an opportunity to then begin to talk to  
16 the board about how to unroll this decision. And so,  
17 therefore, in February of '07 is when the decision was  
18 announced.

19 The other thing I'd like to say other than the  
20 process being what it was was that Bruce is here. He's  
21 been the executive director. Still is. The  
22 announcement came in February, and he won't step aside

1 till August 1st. So there's a six-month transition  
2 period for us.

3 I think that that's been real important in the  
4 sense that it's given me an opportunity to build my own  
5 individual relationships with board members. I've met  
6 with each of the 15 board members individually to talk  
7 about a myriad of things in terms of expectations of  
8 me.

9 I've also had a chance to meet with staff in  
10 all the regions of our service area, and I've had a  
11 chance to meet with the leadership team, the management  
12 team, the nine people on that team, and sort of talk  
13 about what it means to now not look across the table  
14 and see Bruce in the room, that he's not there after  
15 30 years and it's going to be a little different  
16 dynamic now.

17 So I'm doing those kinds of things, which I  
18 think are real important for me to build my own  
19 foundation of leadership. And so I think that that's  
20 critical to have the time to do that.

21 Again, Bruce is stepping aside next week, and  
22 I think that I'm well suited to step into his shoes. I

1 feel very fortunate to have had him around as a mentor.  
2 The other thing I'll say is that Bruce is not retiring.  
3 He will still be in the organization, which obviously  
4 anyone in this room knows that that poses other kinds  
5 of challenges. But we're going into this with eyes  
6 open as he assumes his new role in the organization.

7 And so I'm very excited, very fortunate, and I  
8 thank our board for making the offer. And thank you  
9 all for hearing us this afternoon.

10 CHAIRMAN HALL: Well, I am somewhat speechless  
11 over this impressive array of individuals and all of  
12 the insights that you have provided us with. I have a  
13 few questions, but I'd first like to open it up for  
14 other board members to see if you have questions of any  
15 of our panelists.

16 MS. PHILLIPS: I would like to know what do  
17 you think or what would you suggest is too short of a  
18 transition or too long of a transition?

19 MR. McINTYRE: Too short, I would say, one  
20 of those 90-day things. I mean, and it's all  
21 individualistic. But I would say for any large  
22 program, even if it is an internal person and even if

1       there has been some thinking about what are the  
2       directions of the program, for the reasons that Jessie  
3       is saying. Even in that circumstance you definitely  
4       need adequate time for meetings and for laying the  
5       groundwork of the new leadership. And so I think that  
6       would just be too short.

7                 It's hard. It's harder to say what would be  
8       too long of a period. I guess coming into this  
9       meeting, I would have said a year or year and a half is  
10      just too long. It's going to live people with too much  
11      uncertainty and instability. But what we've heard in  
12      the Minnesota case is that they've had a very  
13      long -- relatively, by my thinking, anyway -- period of  
14      time from, what, February of 2006 to now in terms of  
15      announcing and moving forward. And yet I don't have  
16      the sense that that has devastated the program in any  
17      way.

18                But I would think -- my personal feeling is  
19      that much longer than that and you would start to run  
20      the risks of people wondering what's going on, and is  
21      there really a transition or not.

22                MR. WILTSHIRE: I think that regardless of the

1 amount of time, any time is going to be too long and  
2 any time is going to be too short. It's a transition.  
3 And there's instability, and there are adjustments to  
4 be made.

5 I think one of the nice things, Neil mentioned  
6 we had this succession plan. And the succession plan  
7 provided for immediate transition, death or resignation  
8 or firing. And I think the key is that the  
9 organization should be ready for either the long or the  
10 short, not that either one will be nice.

11 MS. PHILLIPS: And then we heard -- I'm sorry.

12 MR. McBRIDE: Well, I would just say there's a  
13 little bit of ambiguity about what has been at the  
14 transition at SMRLS. If the question is, how long  
15 should the former director and the present director  
16 stay together at the corporation, my personal feeling  
17 is that should not be too long and that 90 days is  
18 probably not too short a period.

19 MR. McINTYRE: No. I agree with that.

20 MR. McBRIDE: So if that was your question, I  
21 would say in my experience in advising corporations and  
22 watching legal aid programs, once the new person is

1 hired and everybody knows that, I think you give them  
2 your computer codes and you gave them your keys and  
3 have a couple weeks to talk about things, and then be  
4 available. And the key thing is to be available.

5 But I would think 90 days or less in terms of  
6 having two people sitting in the same place in a  
7 corporation. That's just too hard on most staffs, in  
8 my experience.

9 MR. TORRES: Yes. I just want to add  
10 one -- we did basically 60 days. And I was practically  
11 away about three or four weeks of that process because  
12 it was the end of the year. I came to NLADA and a new  
13 director training. I went home for Thanksgiving. I  
14 went home for end-of-year holidays.

15 But there were not two people in the director  
16 position. I was director effective the first day,  
17 October 30th. Mac was hired as -- I think he was a  
18 transitional consultant or something like that I think  
19 was the title.

20 MR. McINTYRE: Right.

21 MR. TORRES: So there was clarity about when  
22 the authority passed, if you will. It was very

1 intense. We spent a lot of time together, and it was  
2 like a total immersion for me in every sense of the  
3 word. But it was also important, given that I was such  
4 an unknown factor -- and obviously, this goes to the  
5 uniqueness -- that people started seeing me as the  
6 director and not having Mac down the hall or in the  
7 room or available.

8 And so I think both of us shared a desire to  
9 get as much done together as possible, and also to make  
10 this as quick as possible. And it was just about  
11 60 days' overlap.

12 MS. PHILLIPS: Thank you.

13 CHAIRMAN HALL: Herb?

14 MR. GARTEN: To me, it would be perfectly  
15 normal as a board member -- and I've been on boards  
16 such as yours over the course of my career -- to seek  
17 the opinion of the outgoing executive director, who the  
18 board has worked with on a constant basis.

19 Mac, I got the impression from what you had to  
20 say that that might have been possible in your  
21 instance. But I'd be anxious to know what happened in  
22 each case. Did the search committee or did individual

1 board members ask you for your opinion?

2 MR. McINTYRE: They did. And I think I  
3 alluded earlier to the fact that some of the process  
4 was gently discouraging over-reliance at times. And  
5 what I mean by that is there's never a problem, and  
6 it's completely appropriate for the board  
7 committee -- and there certainly was one, a search  
8 committee -- to say, okay. We're in the process of  
9 drafting what are the challenges that the program  
10 faces. What are the attributes the director ought to  
11 have? What are the experience levels? And we want to  
12 know what you would suggest if you were writing about  
13 what you do.

14 And again, this is bac to what Terry said.  
15 You gave them the information and they decide. And  
16 they may or may not agree with it. That part to me is  
17 fine, and we had that.

18 Where the gentle guidance was necessary, it  
19 seemed to me, was when, for example, they would start  
20 to have a pool. And they hadn't done any  
21 pre-interviews or donating anything yet. And there's  
22 an inclination on their part to give you three names



1 and say, who do you think is the best of those three?  
2 Who is most likely to be able -- and that's where you  
3 say, well, that's not a decision that I'm -- it's not  
4 appropriate for me to be making that decision.

5 I've told you the strengths that are  
6 necessary. I've told you the challenges. I can answer  
7 questions about any dealings I've had with any of those  
8 three people, if any. And I can tell you what my  
9 perception is of their abilities and strengths. But  
10 what I can't do is tell you which direction to go it.

11 Does that help?

12 MR. GARTEN: Yes.

13 MR. McINTYRE: I mean, that's how the process  
14 works.

15 CHAIRMAN HALL: Tom.

16 MR. MEITES: I have a question and an  
17 observation for the three former directors who, by my  
18 back-of-the-envelope calculations, served a total of  
19 60-plus years --

20 MR. McINTYRE: And that would just be Ashley.

21 (Laughter.)

22 MR. MEITES: Thinking not of your careers but

1 your successor's, would you recommend, if you were  
2 king, that your successor serve anywhere near as long  
3 as you all did?

4 MR. WILTSHIRE: Gary, are you ready for this?  
5 You know, for me, it was really a building thing. And  
6 I'm thankful to have done it. I'm always skeptical of  
7 quick turnover in positions. I mean, I sort of see  
8 that in United Ways and others as these people are  
9 moving up the corporate ladder and all that.

10 And as Neil said, I think that being a legal  
11 aid director, with apologies to New Jersey, is a very  
12 local thing -- I mean, your relationships with the  
13 state and local bar are important. And those kinds of  
14 relationships are built over the years. So if I were  
15 king, I wouldn't prohibit it.

16 MR. MEITES: The other two?

17 MR. McBRIDE: I'm not a former director here,  
18 but I want to make an observation. Well, before  
19 consolidation I was a director. I think it's important  
20 for the board to understand, the LSC board, that the  
21 literature on replacing what you call founders of  
22 organizations suggests that the successor to a

1 founder -- and this is true in churches, corporations,  
2 and places like us -- the literature suggests that the  
3 successor to a founder usually stays about 18 months.  
4 So your question may be moot.

5 MR. MEITES: But assume it's not. For the  
6 good of the organization, would you rather they stayed  
7 for 30 years or for 13 years?

8 MR. McBRIDE: I understand, yes. But I'm just  
9 suggesting that a part of this inquiry ought to be how  
10 do we overcome the syndrome that will happen in some  
11 organizations that Gary is not Ashley and Jessie is not  
12 Bruce? I mean, we did a kind of visioning thing in our  
13 office with our consultant about what the new director  
14 should be, and basically most of the staff pretty much  
15 described Ashley with everything but the suspenders and  
16 the Tidewater accent.

17 So we've got some internal kind of teaching to  
18 do to make sure that -- there's no sign at all that  
19 Gary is not accepted and won't be very successful. But  
20 the literature is they won't last long.

21 MR. BENEKE: Mr. Chairman and everybody else,  
22 a couple of thoughts. I mean, it's the old lawyer's

1 answer: It depends. I think when Neil was out with  
2 his excellent peer review team, we had many spirited  
3 discussions then and will continue to have them now.  
4 And I guess my old observation about what I mean by "It  
5 depends" is it goes back to what Terry says. I think  
6 it has a lot to do with the health and reputation and  
7 connection of the organization with the community.

8           At some point in our process as an  
9 organization, and I have to give LSC some props on  
10 this, we had a peer review thing in the early '90s that  
11 said, you know, you guys are pretty good, but you're  
12 not as good as you think you are. And here's a whole  
13 bunch of stuff you need to work on.

14           And after I got done being defensive and all  
15 that stuff, I went to our board of directors and I  
16 said, here's a whole bunch of stuff we need to work on.  
17 And that was sort of the turning point that made my  
18 answer a little different for SMRLS.

19           At that point, our board of directors really  
20 rolled their sleeves up. I became much more  
21 intentional about both development of leadership within  
22 the program and what the role of the executive should

1 be and what the role of the board should be. We  
2 realized that if we're going to be worth what we say  
3 and carry out our mission in serving low income people,  
4 we needed to become an anti-racist organization and we  
5 needed to be serious about that work right then and  
6 there.

7           And so we became very engaged as an  
8 organization as a result of that gentle nudge from the  
9 Legal Services Corporation. And we've sort of been on  
10 that path ever since. And out of that came a new  
11 mission; a set of written standards as to how we treat  
12 each other in the workplace; a set of practice  
13 standards as to what we expect is going to be zealous  
14 and competent representation; a futures plan, which is  
15 our strategic plan, in which the board really lays out  
16 where we're headed and what we're doing as an  
17 organization.

18           And it took a lot of ongoing work with  
19 Mountaintop Ventures, Bryant Rawlins, and Shirley  
20 Stetson, who some of you may know, working with us  
21 organizationally. And so when we got to the point of  
22 change, Jessie and our leadership team, as part of that

1       intentionality, have been every bit as active a part of  
2       developing the organization. For example, the written  
3       practice standards were essentially written by Jessie,  
4       with a lot of input from our more senior attorneys.

5               And so we didn't have the executive director  
6       king so much up here, reporting to the board up here  
7       and everything else down here. We had much more of a  
8       team collegial kind of atmosphere that we developed.

9               And then we worked closely with the 3M  
10       corporation for a long time, and they said, you know,  
11       you guys need to be even more intentional. You need to  
12       hold folks accountable. You need to really know what  
13       your direction is. And you need to have a good  
14       succession plan just like the private sector.

15               We did all of those things, and we did them as  
16       a team. And so when it came time for me to step aside,  
17       it wasn't like Jessie is the new kid on the block. She  
18       had been part of developing that. The board of  
19       directors had been part of developing that.

20               And for me, I think Jessie should stay as long  
21       as she feels the fire in the belly, as long as -- she's  
22       an incredibly client-centered person who lives the word

1 "respect." And that word, if I had to pick one word  
2 about our organization, how we treat each other, how we  
3 treat our clients, is the word respect. And a lot of  
4 that has to do with her leadership. I think she should  
5 stay as long as she feels the passion and feels that  
6 she's enjoying the job and moving it forward.

7           So I wouldn't -- Neil and I may -- I mean, the  
8 literature is one thing. I think life experience in  
9 different communities and different organizations are  
10 another. So for me, there is no easy answer. Jessie  
11 has said at the outset that she hopes to stay eight or  
12 nine years and then retire and do some stuff with her  
13 husband, who is going to be retired before then. We  
14 shall see. She's already developing other leaders to  
15 follow her.

16           So again, I come back to the answer: It  
17 really depends on the organization. And I don't think  
18 you can do a cookie cutter approach. And being more of  
19 a pragmatist, I think you've really got to look at  
20 circumstances locally and be careful of formulas that  
21 kind of specify what everybody should be doing.

22           CHAIRMAN HALL: A couple of questions. To the

1 programs that ended up hiring individuals who were not  
2 internal candidates, how did you handle -- and I guess  
3 the first question is were there internal candidates  
4 who weren't chosen? Which can always be a very  
5 sensitive issue.

6 MS. SINGLETON: Who were not chosen, David?

7 CHAIRMAN HALL: Yes. Who were not chosen.  
8 Yes, that there were internal candidates. Since the  
9 two people -- we at least have two programs that hired  
10 individuals outside of your program. Right?

11 MR. McINTYRE: Well, I'll start with ours.  
12 Yes, there were internal candidates, and one highly  
13 regarded, serious, very serious, internal candidate.  
14 It did present problems for the consultant and the  
15 board -- "problems" is not the best word. I mean, it  
16 does inject some additional challenges into the  
17 process.

18 It's another reason, in our experience, I  
19 think, why a transition and somewhat of an overlap was  
20 important in our case, because smoothing that  
21 relationship and acting as somewhat of an intermediary  
22 in the early stages when someone is not selected who's



1 key and valuable to the program is a big burden. And  
2 C\_sar should address this.

3 But certainly from my perception, I looked at  
4 that and thought, well, that would be -- you've got to  
5 meet all these people. You've got to learn all this  
6 stuff. I gave him tons of files to look at. I'm  
7 telling him all this stuff. There was a little bit of  
8 tension here in the management team. This would not be  
9 a good time to cut somebody loose. And so we worked  
10 through that. But that's what happened in our case.

11 Where that's going to be the case, here's one  
12 thing I did learn: It's really important to have  
13 outside consultants and neutral, experienced,  
14 knowledgeable people who can help to manage that  
15 difficulty. But to this point, it has resolved itself  
16 and seems to be working well.

17 MR. WILTSHIRE: I'll answer for Neil since he  
18 was part of the process and on the committee. Yes,  
19 there was one strong internal candidate. And just from  
20 my distance, I have been impressed with the  
21 graciousness of that person. And I hope that  
22 continues.

1           CHAIRMAN HALL: Did the board play a role in  
2           addressing those types of issues, or did the new  
3           director try to address that with that person, or was  
4           it just --

5           MR. WILTSHIRE: I think both the board  
6           president and the new director immediately addressed  
7           that in a very nice way.

8           CHAIRMAN HALL: C\_sar?

9           MR. TORRES: In my circumstance -- well, there  
10          was about a two-and-a-half month gap between my being  
11          offered the position and my coming on board. And I  
12          know that there was a lot of work that was done by Mac  
13          and the board around some of the issues that were  
14          naturally bound to arise.

15          I think the point that Ashley just made is  
16          significant because the internal candidate was  
17          extremely gracious. And basically, the application was  
18          made from the belief that she knew the program best;  
19          that it was -- really had the best interests of the  
20          program and wanted to step up in that capacity and from  
21          that perspective.

22          And once the board made the decision, accepted

1 that this was their decision, and they thought that  
2 this was best for the program and was going to get on  
3 board, immediately reached out and we sort of started  
4 communication to start adjusting and getting to know  
5 each other.

6 It's an ongoing process. It's a large  
7 organization. When you have someone that's been there  
8 for the life of the organization and you're coming in  
9 new, it takes time. But it is going very well, and I  
10 think there is that -- I think once the initial hurdle  
11 as me being total external coming in, and recognition  
12 that I was not about to run roughshod over the  
13 institution and its practices and its culture, and I  
14 was going to be respectful and protective of the  
15 program mission, then that goes a long way.

16 MR. McINTYRE: I'd just like to make one that  
17 you raised, your question raises.

18 CHAIRMAN HALL: Sure.

19 MR. McINTYRE: And this probably should be  
20 very helpful to you. What I learned from that was that  
21 the board is strongly reluctant to be in the position  
22 where it has to say no to the internal candidate. I

1 mean, that is viewed as a really distasteful  
2 responsibility by board members, understandably. I  
3 completely get that.

4           But it's really important that they understand  
5 from the very beginning that there may be internal  
6 candidates and that part of their role, where  
7 appropriate, is going to have to be to nicely advise an  
8 internal candidate that someone else, in their opinion,  
9 is better equipped and has better qualifications to run  
10 the program, and to try to do it in a way that  
11 preserves the relationship with the internal candidate  
12 and, where necessary, perpetuates their connection to  
13 the program, particularly when they're a key strategic  
14 person.

15           So it's a really significant issue for boards.  
16 I don't know what anybody can do to help in those  
17 situations. That's another area where I had to be just  
18 real supportive of the board and acknowledge that this  
19 is a very difficult situation you're in. But you're  
20 going to have to address it, and here are some  
21 suggestions and ideas, or maybe even here's some  
22 language that, in my view, is well calculated to

1 communicate to this person how valued they are.

2 But when the crunch comes, the board committee  
3 and the key people have to eyeball that person, and  
4 they have to try to sit down and maintain their  
5 professional and personal relationship.

6 CHAIRMAN HALL: My second question is: Just  
7 looking at the new leaders that are before us, we ended  
8 up with a very diverse group. I guess I would be  
9 interested in finding out what lessons were learned,  
10 either by the board or by the organization, as to how  
11 do you make sure that that value is a part of the  
12 process, and these instances can lead to those types of  
13 results. Is there something we can learn from your  
14 process about making sure our leadership for the future  
15 is a diverse leadership?

16 MR. NEWBY: Well, I think in our situation we  
17 were very fortunate to have an internal candidate who  
18 satisfied all of the criteria. And so from my  
19 perspective, as an external board member, I think the  
20 solution to assuring a continuing pool of diversity for  
21 executive leadership is to start within the  
22 organization and to groom those candidates from within.

1 And that is something that simply takes time.

2           We had this discussion on our succession  
3 committee board, diversity of leadership. And we  
4 determined basically there's two ways to do it. You  
5 can go outside and look for someone; or, if you're  
6 fortunate enough to have an organization where you've  
7 cultivated diversity as a corporate ethos, if you've  
8 done it right you will have qualified candidates of all  
9 backgrounds within your organization that you can pick  
10 from.

11           And with us, we were very fortunate to have  
12 Jessie, who had the experience and the long-term  
13 employment with SMRLS and the community, which enabled  
14 us to make that decision. If you don't have that, if  
15 you haven't cultivated that in the organization, then I  
16 think the diversity goal becomes a bit harder because  
17 you have to look externally.

18           And so I think the solution to the problem is  
19 to cultivate from within. And that's just something  
20 that has to be made a part of every organization.

21           MR. McINTYRE: What would I say to that? I  
22 guess what I'd like to say about that is that I think

1 it's most helpful, in answer to this question, to think  
2 of diversity in a broader context, and in fact in its  
3 broadest context.

4           And I think the value that we learned, and  
5 what's been reinforced by having C\_sar express his  
6 interest and be selected and begin to put his imprint  
7 on the program, is that no matter -- again, and I liked  
8 that line before, you know, you guys do things pretty  
9 good but you're not as good as you think you are.  
10 That's a really good thing for us in our state to keep  
11 in mind.

12           We've had a lot of success and we've gotten a  
13 lot of credit nationally and otherwise for some things  
14 that we've done. But when that happens, I think  
15 there's a danger that you get into this place -- and I  
16 don't have a good analogy so I'll use one that's  
17 probably pretty bad. And I don't mean it to be  
18 offensive.

19           But to me, it's sort of like saying that your  
20 whole pool of marital partner candidates is going to be  
21 your third cousins. You know, it's going to be people  
22 that are really very much like you, that think alike

1 and all of that kind of stuff.

2           So putting aside the racial and ethnic and  
3 other kinds of diversity, bring in the Newark, New  
4 Jersey guy from a different life experience and a  
5 different kind of program and a different state, where  
6 their network is different than our network. What I  
7 think we've learned in part is if you don't have that  
8 kind of an approach to it, you're  
9 closing -- potentially could be closing yourself off to  
10 those kinds of input.

11           So I can perceive a situation where you end up  
12 picking the internal candidate, but in fact the whole  
13 system is better because two or three people came in  
14 and they said, you guys do what? Or you don't do this?  
15 You know, I don't get it. And so I think that's a real  
16 value of a broad process. And it doesn't mean  
17 national, necessarily, but it means broad and open.

18           MR. McBRIDE: I would just say real briefly  
19 about our process, in going back to our -- really, I  
20 mean, we feel so strongly about having totten the  
21 director that we do have, I've already said that we  
22 were not satisfied with the national pool that we got,



1 nor were we satisfied with diversity of our pool.

2 And if I had any criticism of the process, it  
3 would be that you would -- the one recommendation I  
4 would say is painfully obvious, which is if you're  
5 committed to having a diverse pool, you've got to be  
6 prepared to be flexible and to extend your process if  
7 that's what you need to do.

8 We had inquiries from people who represented  
9 different background and cultures. Some of them just  
10 kind of stopped communicating at different stages, and  
11 some just couldn't accommodate the schedule that we  
12 were on. And the board, for very good reasons, had a  
13 schedule that we wanted to follow. We extended it at  
14 one point, but at that point we were just not willing  
15 to extend it any further.

16 So the obvious message is, be prepared to be  
17 flexible and take time.

18 MR. TORRES: If I might, I would like  
19 to -- Neil made comments about the whole timing and so  
20 on that was involved. And this brings up the similar  
21 issue.

22 In thinking about this presentation, I was

1 reflecting a lot on my own personal experience. And  
2 yes, there were some very nice things that were  
3 happening in my life that made this feasible and  
4 possible. And had it been a few months earlier or a  
5 few months later, maybe that window would not have  
6 occurred.

7           And one of the things that I was thinking is  
8 that it might be helpful for, for example, NLADA or MIE  
9 to be identifying a cadre or a cohort of people moving  
10 up through the ranks throughout the country so that if  
11 a program chooses to go beyond internal selection,  
12 there is a ready list, if you will, of people that  
13 could be considered and looked at and maybe kept  
14 abreast of these kinds of things, of these kinds of  
15 opportunities.

16           Because Neil is absolutely right. It really  
17 was a matter of -- on a personal level, I was really  
18 working hard to get a job with state government in New  
19 Jersey. And they were just stringing me along. And  
20 finally one thing and another, and I didn't get it.  
21 And that was like a month before. And if I had gotten  
22 it, I probably would not have -- I certainly would not

1 have taken up this opportunity. Had there been a  
2 better sense of the candidates that were out and  
3 available, it might have been that I might have been  
4 contacted sooner, or I might have found out about the  
5 position sooner.

6 So in terms of building that sort of capacity  
7 or pool of applicants, it might be something to think  
8 about MIE or NLADA doing as a proactive kind of thing  
9 for those organizations that choose to have a national  
10 search.

11 CHAIRMAN HALL: Thank you. Just being  
12 sensitive to time, and we do have a few other items on  
13 the agenda, I just want to thank this panel. This has  
14 just been very insightful and useful.

15 And Karen, I certainly have to charge you to  
16 try to make sure we capture this information in a way  
17 in which we can get it out to our other programs  
18 because I think we have examples of people who've done  
19 it right. And there's a lot to learn from it. And I  
20 applaud you and Helaine for selecting this group of  
21 individuals to share this information.

22 So personally, I want to thank each one of you

1 for not only the many years of service that you have  
2 provided and will continue to provide, but also for  
3 this excellent presentation. And I think Helaine would  
4 like to make an announcement.

5 MS. BARNETT: Thank you very much, Chairman  
6 Hall. Since you're all here and from different parts  
7 of the country, the Legal Services Corporation would  
8 like to present a certificate of recognition.

9 First, to Ashley T. Wiltshire, Jr., for your  
10 extraordinary commitment to providing high quality  
11 civil legal services to low income Americans, tireless  
12 pursuit of equal justice for all, and 31 years of  
13 exemplary leadership as executive director of the Legal  
14 Aid Society of Middle Tennessee and the Cumberlandds.

15 (Applause.)

16 MS. BARNETT: The Legal Services Corporation  
17 would like to give a certificate of recognition to  
18 Patrick H. McIntyre for your extraordinary commitment  
19 to providing quality legal services to low income  
20 Americans, tireless pursuit of equal access to justice  
21 for all, and 11 years of exemplary leadership as  
22 executive director of the Northwest Justice Project.

1 (Applause.)

2 MS. BARNETT: And the Legal Services  
3 Corporation would like to present a certificate of  
4 recognition to Bruce Beneke for your extraordinary  
5 commitment to providing high quality civil legal  
6 services to low income Americans, tireless pursuit of  
7 equal access to justice for all, and 30 years of  
8 exemplary leadership as executive director of Southern  
9 Minnesota Regional Legal Services.

10 (Applause.)

11 CHAIRMAN HALL: Those are mere small tokens of  
12 our appreciation for your work. And to our new  
13 directors, if you hang around for 30 years, we have  
14 some right here waiting on you.

15 MS. NICHOLSON: If I could interrupt you just  
16 for a second, Chairman Hall, I don't think I'll stay  
17 around till I'm 85.

18 CHAIRMAN HALL: If you have the fire in your  
19 belly, it doesn't matter.

20 (Laughter.)

21 CHAIRMAN HALL: Moving along with our agenda,  
22 the next item is public comment. Is there any public

1 comment to come before Provisions?

2 (No response.)

3 CHAIRMAN HALL: Is there any other act or  
4 other business to come before the Provisions Committee?

5 (No response.)

6 CHAIRMAN HALL: Hearing nothing on both  
7 issues, I would consider an act of adjournment of the  
8 Provisions Committee meeting.

9 M O T I O N

10 MS. CHILES: So moved.

11 CHAIRMAN HALL: Is there a second?

12 MR. GARTEN: Second.

13 CHAIRMAN HALL: The meeting is adjourned. And  
14 thanks again to all of our panelists, and for Karen and  
15 your presentation as well. The Provisions Committee is  
16 adjourned.

17 (Whereupon, at 3:24 p.m., the committee  
18 meeting was adjourned.)

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