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THE LEGAL SERVICES CORPORATION

Meeting of
the Board of Directors

Conference Room B
Constitution Avenue
Washington, D. C.

Monday, 4 August 1975

The meeting was convened, pursuant to notice, at
10:00 a.m. Mr. Roger C. Cramton presiding.

PRESENT:

- Roger C. Cramton, Chairman
- Marshall J. Breger
- J. Melville Broughton
- Marlow W. Cook
- Louis F. Oberdorfer, Counsel
- Revius O. Ortique, Jr.
- Glee S. Smith, Jr.
- Glenn C. Stophen
- Samuel D. Thurman

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P R O C E E D I N G S

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2 MR. CRAMTON: The meeting will come to order.

3 I regret very much the delay in starting.

4 We will try to be more punctual in the future.

5 We have found it somewhat difficult to arrange the logistics
6 for a meeting early on Monday morning, particularly when
7 your Xerox machine is not operating on Sunday, and the office
8 closes and kicks you out at 8:00 p. m., so that you
9 can't perform any further work.

10 A proposed agenda has been distributed and the
11 first item on the proposed agenda is the adoption of the
12 proposed agenda.

13 That question is now before the Board.

14 MR. COOK: I move its adoption.

15 MR. CRAMTON: Mr. Cook moves its adoption.

16 MR. SMITH: I second it.

17 MR. CRAMTON: And Mr. Smith seconded the
18 motion.

19 Before it is adopted I would like to suggest
20 that, since the draft minutes from the last meeting have not
21 yet arrived as part of the Board members' packets, which are
22 being assembled this morning, that we revise the agenda
23 to take out of order the report of the Chairman of the
24 Committee on Appropriations and the report of the Committee on

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1 Presidential Search before Item 2.

2 Does that have unanimous consent?

3 MR. COOK: May I make my motion, in fact, that
4 we may take anything out of order and that we may proceed
5 until such information gets here, and that takes care of
6 that problem and any others.

7 MR. ORTIQUE: Would the wording also include the
8 fact that at the appropriate time we will take a look at the
9 agenda to determine whether we want to stop today at 1:30
10 and wait until tomorrow or go right through today?

11 MR. COOK: I think that would be --

12 MR. SMITH: I think that follows. We take it
13 up until we finish it with necessary recesses.

14 MR. ORTIQUE: As long as we understand that.

15 MR. CRAMTON: Mr. Cook's motion encompasses
16 flexibility in considering the items on the agenda, but in
17 general we will follow the agenda.

18 Is that acceptable with the seconder?

19 MR. SMITH: Yes.

20 MR. CRAMTON: All those in favor say "aye."

21 (Chorus of ayes.)

22 MR. CRAMTON: All those opposed say "no."

23 (No response.)

24 MR. CRAMTON: We will now move to the Committee
25 on Appropriations and Audit.

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1 Mr. Breger?

2 MR. BREGER: Mr. Kutak apologizes to the
3 Board for his unavoidable absence. He will be with us
4 this afternoon, and he asked me to point out that it is
5 his intention and the intention of the Committee on Regulations
6 and Bylaws to present proposed bylaws to the Board tomorrow
7 and that a copy of those tentative proposed bylaws will be
8 available for you later today.

9 Further, that for purposes of legislative history,
10 he has left with each of us a copy of an earlier draft of
11 those bylaws, which we went into in an extensive, both
12 grueling and enjoyable, meeting yesterday.

13 MR. CRAMTON: Thank you, Mr. Breger.

14 It is appropriate for the record to show at
15 this point that with the exception of Mr. Kutak and
16 Mr. Janklow and Mr. Montejano, all members of the Board
17 are present.

18 Mr. Stophel?

19 MR. STOPHEL: Thank you, Mr. Chairman.

20 In accordance with our instructions at our
21 meeting on July 14, the Chairman worked all the following
22 day in preparing our budget request, in order to appear
23 before the Senate Subcommittee on July 16. Mr. Cramton
24 was accompanied there by Senator Cook and Mr. Breger from
25 the Board and Mr. Corbett and Mr. Oberdorfer. Those

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1 senators present at that hearing were Senator Pastore and
2 Senator Hruska.

3 The budget proposal which was presented there
4 was in the amount of 96.466 million, which came within our
5 guidelines of not to exceed 96.6 million. For your
6 information it was made up of a 71.5 million base from which
7 we started, 6.5 million to analyze the program, .7 million
8 for the accelerated programs which were included in the ongoing
9 program, which made a total of 78.7 million. From that
10 was subtracted the administrative costs of 2.3 million,
11 which arrived at a balance of 76.4, to which was applied
12 the 22.6 percent increase of 17.266 million for a total
13 of 93.666 million.

14 We then added back the 2.3 in administrative
15 costs, plus an estimated half million dollars for starting
16 costs, bringing it to the grand total of 96.466.

17 At the hearing before the Senate I was not
18 present. As I indicated we were represented by three members
19 of the Board. It was very competently handled, as you may
20 expect, by those members present, and I would say that it
21 was a hearing that sought the facts and yet in many respects
22 recognized the fact that we had only been in existence for,
23 at that time, two days, and acknowledged the absence of a
24 great amount of detail.

25 The Senators present did ask questions concerning

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the program and evidenced their obvious interest in the program and having sufficient funds available for that.

I will invite any member of the Board who was present at that particular hearing to comment as I go along, since I was not present, but have reviewed the transcript.

I will be delighted for any of you to comment on that. One of the questions that I was a little bit surprised that one of the Senators asked, because I thought this had been laid to rest a long time ago was, "Why aren't the Bar Associations performing all these services free, like I did, when I was practicing law?"

One of the Senators asked, and I think each of us recognizes, being practicing lawyers or each of us having had a private practice, that this is an obligation of the Bar and yet it was simply not being done, and so this program has bridged that gap. We think, admirably.

On Friday, July 25th, we were invited to appear before the House Subcommittee, chaired by Congressman Slack from West Virginia.

Other Representatives present there were Congressman Cederberg, Smith from Iowa, Early, and Miller from Ohio. Those from our Board appearing were the Chairman and myself, along with Mr. Corbett and Mr. Oberdorfer. This Committee, as you might expect was, well, -- the background, of course, is that the House Appropriations Bill has already

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1 been passed and so this was really a courtesy to us, and it
2 was suggested by the Senate Subcommittee at the time they
3 considered our request that we go over to the House and ask
4 for an appearance, so that we could present it to them,
5 so that they would be more knowledgeable about our request
6 when it goes to Congress.

7 The Committee was very inquisitive. They would
8 have preferred to have much more detail about our program.
9 And, obviously, we weren't prepared to give a great amount
10 of detail, although we did submit supplemental material after
11 our hearing before this Subcommittee.

12 The concerns expressed, in addition to those
13 concerning not enough details on our budget proposal, in-
14 cluded such varied items as extremely large payments to
15 private lawyers which, when we delved into it, that that had
16 been true under a public defender program here in the District
17 and the Congressmen were quite upset about that. We found out also
18 they had been successful in cutting off that program, so it
19 didn't really affect us, but it was one of the questions
20 asked us, if we were going to have any programs like that,
21 we wanted to have limits on the amounts private practitioners
22 could receive from our funds. Concerns about what I would
23 call old history of our program, the program which we are
24 inheriting by about taking what were called less
25 important cases, those that might help a lawyer to get a

1 case before the Supreme Court, whereas they considered that
2 we had left the nuts and bolts cases, those that really
3 helped what were called the truly poor had not been considered
4 by the program, and I think the Chairman responded quite
5 well to each of these questions.

6 At one point one of the representatives who was
7 told that we needed these funds which we had requested for
8 an increase, because the poor people out there had been
9 promised this amount of increase, so that the programs could
10 do a better job, he just commented, "I haven't heard from
11 anybody but lawyers on this program," and we tried to assure
12 him that, although all the Board members were lawyers, our
13 intent and our obligation under the Act as to conduct the
14 program in such a way that it will serve with the quality and
15 professional approach for those people who need legal services,
16 but cannot afford them. The question of class actions came
17 up and that was, of course, answered directly from the Act
18 which created us, which deals with class actions.

19 I guess that another point that, two other
20 points that I should comment on about the questions here,
21 and I am merely pointing these out to you, because I feel that
22 they will be continuing problems which we will need to deal
23 with in various ways, one had to do with whether we
24 attempt to set salaries at a level to attract career-type
25 employees or whether, as one gentleman commented from his

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1 experience in the State's Attorney's Office that perhaps
2 you got better services from a person who really didn't
3 intend to make it a career, but plunged his entire efforts
4 into it for a shorter period of time. This is a philosophical
5 problem, and I think that the Chairman well pointed out that
6 you need both kinds of people to have an effective program.

7 You need the experience, and you need the
8 innovative-type of work of a young man who is willing to
9 work in the program.

10 The last item mentioned was they wanted to know
11 if we were still soliciting clients. We very pointedly
12 said we are planning to have the attorneys who receive
13 funds under our program practice law within professional
14 and ethical guidelines. The hearing lasted almost two hours.
15 We felt that we received a fair and courteous hearing and trust
16 that during the conference the two groups will be able
17 to get together, that we will receive something near our
18 appropriations' request.

19 Mr. Chairman, do you have other comments?
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1 MR. CRAMTON: Yes, I do.

2 I would urge the board members to either speak
3 up very briskly or if you use the microphones, bring them
4 closer or members of the audience will not be able to hear
5 you.

6 The current status of our appropriations request
7 is approximately as follows: The Senate tabled the ap-
8 propriations bill in which our request was a part, just prior
9 to their recess and they are now on the August recess. They
10 plan to take it up a few days after returning from recess in
11 early September. It is my understanding that the Ap-
12 propriations Committee has reported out the full amount
13 requested by the corporation.

14 The House bill, as Mr. Stophel stated, contains
15 no appropriation for the corporation. There will be a
16 conference. There is no way of knowing what the views of the
17 House Appropriations Subcommittee or Committee are and,
18 indeed, I am informed they have not met, and we will --
19 their views will be ascertained, if at all, at the time of
20 conference with the Senate in early September.

21 Until then, we have, the program has no money other
22 than the continuing resolution of \$71.5 million, which
23 goes to the Community Services Administration.

24 One point, which I think Mr. Stophel's remarks
25 brought out very clearly, is that the House Subcommittee on

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1 Appropriations with which the Legal Services Corporation
2 would be dealing with, has had little background on this
3 program. It is a new program for it. Many of the questions
4 seemed to me to reflect a staff knowledge that was largely
5 based on the House discussions in connection with some of the
6 controversial amendments and proposals to the Legal Ser-
7 vices Corporation Act of 1974, during the periods 1971 to 1974
8 1974, and it seems to me that the board and perhaps other
9 interested people have got a certain degree of burden to
10 carry in terms of informing members of the House Subcommittee
11 and the full Committee of the program, its needs, the purposes
12 it serves and the manner in which it is being conducted.

13 And I hope that members of the board will
14 assist me and the staff will assist the board and interested
15 members of the community will do their share also in terms
16 of helping get the meaning across.

17 Mr. Oberdorfer was present at both hearings.

18 Perhaps you have a comment to add.

19 MR. OBERDORFER: Mr. Chairman, I have nothing real-
20 ly to add, except to say that we must all be aware that until
21 that appropriation has been reported out by the conference
22 committee and approved by the House and Senate we are
23 still under the continuing resolution and hopefully we will
24 all conduct ourselves in a way which will continue the
25 good environment that seems to pervade the atmosphere.

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1 Thank you.

2 MR. BROUGHTON: Mr. Chairman, what is the time
3 table as to where we stand now? That is, Congress is in
4 recess until after Labor Day, is that correct?

5 MR. CRAMTON: September 3 I think is the date.
6 Immediately after Labor Day I am told that the Senate
7 plans to take up the Appropriations Bill in which our
8 request is now included, very shortly after their return.
9 There would then be a conference with the House. How
10 long that's going to take no one, at least I cannot
11 say. I would hope that the process would be completed
12 well before the end of September.

13 MR. ORTIQUE: Mr. Chairman, would you consider
14 asking Mr. Corbett if there is any problem, that he
15 anticipates, any problem over the next month or so, with
16 reference to the manner in which we are operating or which
17 we anticipate operating that we board members need to
18 know now, if there are some problems, particularly the
19 Congress in recess.

20 MR. CRAMTON: Did Mr. Corbett hear the question?

21 MR. CORBETT: No, I didn't.

22 MR. CRAMTON: Does the board give unanimous
23 consent to have Mr. Ortique address his question to Mr.
24 Corbett?

25 MR. COOK: Absolutely.

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1 MR. CRAMTON: Without objection.

2 MR. ORTIQUE: Mr. Corbett, the question was, did
3 you anticipate any problems with reference to the con-
4 tinued funding and operation of all of our projects during
5 this period while we are waiting for our own appropriation
6 and if so then tell us what we ought to be doing about it.

7 MR. CORBETT: The director has approved the
8 funding through March of all
9 222(a)(3) programs and the training technical assistance
10 and support programs and when funded by the Office
11 of Legal Services --

12 MR. ORTIQUE: It is not always possible for all
13 the board members to know when you refer to these programs as
14 222 or technical assistance programs. It would appear to
15 me that we need to explain to them what that entails.

16 MR. CORBETT: Well, those programs are the
17 basic programs that have been funded by the Office of Legal
18 Services. The operating programs in the field that have
19 been created in the past by the Office of Legal Services and
20 are monitored by them would include the 250 field programs,
21 the Indian programs. We have not had discussion yet on
22 the funding of the migrant programs, which have been funded
23 by the transfer of money from the Labor Department. And
24 then, in addition, it would take all the back-up centers
25 and the Catholic University and various training, as I say,

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1 technical assistance programs, that are part of the
2 regular programs of the Office of Legal Services. It would not
3 have my including in that the funding of the community
4 action programs since those have been funded by Section
5 221, which are funded through the legal initiative programs
6 themselves.

7 MR. CRAMTON: I think that concludes the report
8 of the Committee on Appropriations and Audits, does it not,
9 Mr. Stophel?

10 MR. STOPHEL: Yes, it does.

11 MR. BROUGHTON: Mr. Chairman, one other comment,
12 if I may, as far as continuing in the matter that you and
13 Mr. Stophel and others have taken to lead. Do I understand
14 you to mean by that that at least in part the board, for
15 example, would discuss this locally, for example, the
16 North Carolina Bar Association has been in contact with me and
17 I furnished the president a copy of your statement, and from
18 that point he planned to communicate with some of the
19 members of Congress from North Carolina about this?

20 MR. CRAMTON: That certainly is a highly ap-
21 propriate means of communicating to members of Congress and
22 to the general public about the program.

23 MR. BROUGHTON: Thank you.

24 MR. CRAMTON: There may well be others.

25 The next item on the agenda as revised since the

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1 draft minutes have not yet appeared, is the report by the
2 chairman of the Committee on Presidential Search, Mr. Thur-
3 man.

4 MR. THURMAN: Thank you, Mr. Chairman.

5 We have, I think, three major matters here to
6 consider. Number one is the procedure for selection.
7 Number two, the criteria to be applied in selecting this
8 important officer. Number three, the matter of considera-
9 tion of nominees as happens.

10 Now, previously, with reference to each of
11 those three matters, the Committee feels, and I am certain
12 the board agrees, that there should be widespread open
13 publicity throughout the country to all interested groups,
14 interested persons, with reference to this opening.

15 Immediately after our last meeting there was sent
16 out to a great many different organizations, and I will
17 read them off rapidly, this announcement, and with the hope
18 that this would be circulated to their members and also
19 appear in their various publications and I just now
20 received the first publication, the NLADA Washington Memo.
21 There will be others coming out within the next several
22 weeks.

23 This is the announcement, it is brief. It says,
24 "The Board of Directors of the Legal Services Corporation,
25 created by the Legal Services Corporation Act of 1974,

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1 Public Law 93-355, etc., invites nominations and applications
2 for the position of president of the corporation, the
3 president to serve as the chief operating officer of the
4 corporation. Pursuant to the Act the president must be a
5 member of the Bar of the highest court of the state.

6 "Nominations and applications for this position,
7 accompanied by resumes, as well as inquiries concerning any
8 additional information desired, should be directed to the
9 Legal Services Corporation, Attention: Presidential
10 Search Committee, 1725 K Street, Northwest, Room 412,
11 Washington, D. C. 20006. An equal opportunity/affirmative
12 action employer."

13 Let me just read briefly the organizations that
14 have been contacted: National Clients Council, and these
15 have been asked to contact their members, as well as try to
16 get this in their publications; National Bar Association;
17 Federal Bar Association; Bureau of Indian Affairs; National
18 Clearing House for Legal Services and, of course, their
19 ~~publications~~ for the Clearing House Review; the
20 Association of American Law Schools, and Professor Roud,
21 the executive director has already sent this notification
22 to the deans of all approved schools and the deans of non-
23 approved schools, to the members of the House of Repre-
24 sentatives from each school, to the members of the executive
25 committee and this announcement will also appear in the
newsletter which is to come out about the first of September.

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1 The project advisory group chairman has been
2 contacted, the Mexican-American Legal Defense Fund, the
3 American Bar Association obviously and I received word the
4 other day from Richard Allen that this will appear in this
5 month's American Bar Association Journal.

6 We were fortunate in getting it in there even
7 though the lead time is usually several months.

8 The ABA publication "Alternatives," the publica-
9 tion of the consortium having to do with delivery of
10 legal services, AABA News. The National Legal Aid
11 and Defender Association. It will appear in their future
12 issue of "Briefcase" and also the Washington Memo that I
13 just referred to.

14 Now, there are a number of other possibilities
15 that have been suggested to us and we are going to have
16 a meeting tomorrow of the committee following the meeting
17 of the board, at which time we will take up this matter.

18 Should notice go out especially to the general
19 practice section, to the young lawyers section of the Ameri-
20 can Bar Association, are there other publications of the
21 Community Services Administration and I want to talk to
22 Mr. Corbett about that to see if we are touching all bases
23 there, the matter of going to local boards of advisory
24 councils, that is to the individual members; the National
25 Welfare Rights Organization, should a notice go to all

fm9 : 1 state bar presidents and then the possibility has been
2 suggested that a list of maybe several hundred names are
3 drawn up, should it go to the legal papers in some of the
4 major cities.

5 Now, I had given to me this morning the mailing
6 list being prepared to chief judges of federal appeals
7 and district courts, and I would like to get the views of
8 some of the board members perhaps as to whether we should
9 go this far, the chief justices of the state supreme
10 courts, the nine members of the United States Supreme Court;
11 I mentioned presidents of state, as well as also major city
12 bar associations, all state attorneys general, all of the
13 Legal Aid Project directors. We are talking about maybe
14 200 to 300 there. This matter will be discussed then at
15 our public committee meeting tomorrow.

16 I want also to emphasize, as I mentioned at the
17 first board meeting, that I, as well as the other members
18 of the Search Committee, and I am sure members of the board
19 would welcome any kind of personal contacts with reference
20 to this but we want to emphasize that in each instance
21 this be followed up with a written resume, something in
22 writing so we will have it for the files.

23 But we are open to be spoken to and we will be
24 at the Montreal meeting several of us, you can certainly
25 contact me or some of the others there. We want to emphasize

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1 that we are talking about both nominations and applications.
2 Even if you are not certain of the interest of an individual,
3 if this is a good person who ought to be considered, pass
4 the names along to us and we will find out about their
5 interest.

6 The matter of interviewing and this stage, the
7 committee, I believe, will not start any interviewing right
8 now but, so far as individual members interviewing and
9 talking with possibilities, why, we will be happy to do
10 that.

11 I think an important matter to take up, not at
12 this stage, but very shortly, Mr. Chairman, will be the matter
13 of when we come down to finally interviewing, having the
14 committee interview a certain number of the nominees or
15 the applicants, who pays for that. It seems to me there is
16 some problems there as to whether these are paid by the
17 Corporation or just what the procedure is going to be.

18 The second problem, as I say, the matter of the
19 procedure, We are certainly open to further suggestion
20 from you tomorrow.

21 The criteria to be applied in the selection of
22 the president. Let me read to you the statement from the
23 Senate Report that bears on this. It consists of two
24 sentences, the first sentence having to do with procedure;
25 the second one having to do with criteria and qualifications.

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1 This is from the Senate Report of the Act that brought this Corpor-
2 ation into being.

3 "Since the president of the Corporation will be
4 its chief operating officer, the board should solicit and
5 carefully consider recommendations from those principally
6 involved in or served by Legal Services programs as to the
7 selection of the initial president of the Corporation."

8 And I think we are doing everything possible to do
9 that, asking your personal recommendations and sending it
10 all out to the publications we can think of.

11 Now, secondly, the Report went on to say that
12 "The person selected should be experienced in the legal
13 assistance field and have previously demonstrated a commit-
14 ment to the provision in accordance with the highest
15 standards of the legal profession of quality legal assist-
16 ance to the poor."

17 Let me reread that again: "The person selected
18 should be experienced in the legal assistance field and
19 have previously demonstrated a commitment to the
20 provision in accordance with the highest standards of the
21 legal profession of quality legal assistance to the poor."

22 Now, we have had a number of letters suggesting
23 criteria that should be considered and we are going to
24 take these up and come up with a more specific list at our
25 public meeting tomorrow.

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1 The third matter, that of the consideration of
2 nominees and applicants, these are going to be done in
3 executive session. These discussions, personnel discus-
4 sions will not be open to the public. I have here a list
5 already of some 30 or 40 names that have been given to us
6 and the committee is in agreement that we shouldn't even
7 at this time mention these names.

8 I think we have got to make it clear that the
9 individuals to be considered will not have the kind of
10 publicity -- they may have present positions and don't want
11 this kind of publicity; so these matters will be taken
12 up in executive session.

13 I again emphasize we are open to discussion with
14 any one of you and there are no committee interviews at
15 this time.

16 Any questions from any other members of the
17 board?

18 MR. CRAMTON: Did you want the board to consider
19 and express any views that it might have on the several
20 questions which you raised, first the extent to which the
21 legal community and the general public will receive notice?

22 MR. THURMAN: It would be very helpful.

23 MR. CRAMTON: And second, you raised the question
24 about the propriety or desirability of spending funds
25 that the Corporation hopes to have shortly in connection

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1 with the recruitment of the president.

2 MR. THURMAN: I think it would be very helpful
3 if we have the time, Mr. Chairman, to go into these ~~part~~
4 briefly.

5 MR. CRAMTON: Do members of the board wish to
6 direct themselves to either one of those questions?

7 MR. COOK: Mr. Chairman, when you get to the
8 section on administration, Sam, I think we may cover that
9 from the standpoint of some of the ramifications, namely,
10 whether it is necessary to advise an individual to come
11 to Washington to be interviewed at a board meeting. I
12 think we have covered those in our administrative board
13 rules. I might say that we feel constrained to allow these
14 rules to be available to the public for a period of
15 time for any comments or criticisms that they may have of
16 them.

17 However, it may be necessary for the board to
18 take some of these sections today or tomorrow and ask that
19 they be implemented at this time so that we might make
20 Sam's job and his committee's job easier. We can look into
21 those at the time that we go into these administrative
22 rules, but at least relative to that particular question,
23 I think we have covered it in our presentation.

24 MR. CRAMTON: Yes, it would be my view on the
25 second question, Mr. Thurman, that it would be entirely

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1 appropriate expense to reimburse individuals interviewed
2 for the position of president, for the travel and other
3 expenses that they incur in coming to such an interview,
4 and it would be foolish of us not to undertake such an
5 obligation.

6 MR. THURMAN: I think we can hope that will
7 be the conclusion of the board.

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MR. CRAMTON: Is that view generally shared?

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If it is, if there is no objection to that view, the Board does believe that it would be an appropriate expense, subject to the travel limitations and reimbursement.

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MR. THURMAN: I wanted to emphasize we are not

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at that point now and won't be for at least some weeks, until

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this publicity is out. I neglected to mention another

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important list of organizations supplied to me from our

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office in Washington that have also been, in addition to the

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ones I mentioned: the NOW Legal Defense and Education Fund,

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the Directors of the Women's Rights Project, the Executive

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Director of the Center for Women's Policy Study, ~~and~~

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Executive Director for the Women's Legal Defense Fund, NAACP

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Legal Defense Fund, Director of Native American Rights Fund,

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Director for the Center for Law and Social Policy, National

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Council of Negro Women, Children's Defense Fund, Washington

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Council of Lawyers, Lawyers Committee for Civil Rights under

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Law, Women's Law Report. Just a few organizations that have

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been contacted.

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Now, I think it's quite clear we have got a good

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deal of overlap in this. I would like the views, maybe,

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of the Board here as to whether they think we should go

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ahead with these other lists that I mentioned that are

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about ready to go out and can go out, such as the Chief

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Judges of the Federal Appeals and District Courts, the

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1 Chief Justices, State Supreme Courts and so on. We have had
2 some mixed feeling about some of these and we are just wondering
3 how far we should go. Presidents of all state, major city
4 bar associations, state's attorneys general, all governors
5 of states. Do we have any reaction to this?

6 MR. BROUGHTON: Dean, I think you should go to
7 the the state bar association. Now, I sent that to the bar
8 at home and --

9 MR. THURMAN: The presidents, certainly, of the
10 state bar associations. Is there agreement on that?

11 MR. ORTIQUE: Yes.

12 MR. BROUGHTON: I think we talked about the need
13 for cooperation from the organized bar, and I think that would
14 be the way to bring them into the process.

15 MR. SMITH: Many of them can get that in a state
16 bar publication within the next few weeks in time to be
17 helpful. I think that all of those organizations that we
18 talked about, and most of them have already been talked about,
19 and adding the state bar, all of those are very important.

20 I really doubt the need for writing individual
21 letters to judges, for example, because I think you get into
22 a lot of unnecessary duplication. They have access to many of these
23 publications we are already communicating to, and when we start
24 writing to individuals, not representatives of organizations,
25 but individuals, then we become exclusive, in a sense, in that

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1 we write to some and others wonder why we didn't write to them, and I
2 think we would be better off to stick to all of the organizations
3 suggested, and all the available publications, but not get into
4 contact with individual persons.

5 MR. BROUGHTON: You wouldn't want to hear from
6 a Kansas judge as to why he was not contacted.

7 MR. SMITH: If you limit it to major city bar
8 associations, in addition to states there, again, you are
9 being exclusive, because there are a lot of small community
10 bar associations, county bar associations and so on. And I
11 think to pick some because of size and leave out others is wrong,
12 and I would prefer to stick, as I indicated, to the major
13 organization representing the complete spectrum from client
14 organizations on through welfare organizations, bar and all
15 the other organizations, but not get into letters to
16 individuals.

17 MR. BREGER: I would agree with Glee on that and
18 would suggest that as a substitute for individual letters we
19 might consider sending notices or possibly taking out paid
20 advertisements in the legal journals, the legal newspapers
21 throughout the country or at least those in major cities which,
22 I think, would serve the purpose of widely circulating the fact
23 that we are engaged in a presidential search.

24 MR. THURMAN: How about that, that was another
25 another matter I wanted to raise here.

bw4

1 Do you want it to appear in the New York lawyers'
2 journals, whatever it is, the Los Angeles one, the
3 San Francisco one and so on?

4 MR. COOK: Mr. Chairman, I am wondering if you
5 write to the state bar presidents, whether that communication
6 should not also request that it be published in their state-
7 wide publications, and I am wondering if you do that, if
8 you don't overcome the individual city bar publications.

9 MR. BREGER: These publications are not necessarily
10 sponsored by the city bars.

11 MR. COOK: I agree.

12 MR. SMITH: But the state bar associations do have
13 contact with them and we could urge them to contact all the
14 local bar associations within their respective jurisdictions,
15 and I think we will get to the local bars in that way through
16 the state bars.

17 MR. COOK: What bothers me is if we spend a great
18 deal of time on the wide range of what we do, that we are
19 going to find many of these publications that are going to
20 be in after we are in the process of reviewing and evaluating
21 candidates, and I am afraid this whole thing may get beyond
22 you, when you are in the process of evaluation.

23 That's what bothers me. Some publishing dates
24 already probably are far enough in advance that we would
25 find ourselves in the review process by the time that really,

bw5

1 very frankly, they were to put an ad in their publication.

2 MR. CRAMTON: Mr. Thurman, it is precisely that
3 point that leads me to come out the other way in terms of
4 local newspaper, legal newspaper publications. An announcement
5 can be placed in those and be published the following day.

6 If you want to get something in the New York State Bar
7 Association Journal it may take two or three months and, as
8 Marlow says, it may be no good to us by the time it appears.

9 So, I think, I would use both myself and go
10 immediately and place notices in major legal newspapers
11 through the country, precisely because they would be published
12 so promptly.

13 MR. SMITH: In fact, the point that Marlow raised,
14 caused me to think in our contacts with these various
15 organizations that we suggest that we would like announcements
16 in their publications, we should specify that it should be in
17 publications that would be going to press no later than
18 September 1, for example, so we don't have them being
19 publicized in October and November journals, because I think,
20 really, in fairness to all applicants, our Committee shouldn't
21 start interviews until all of the publications have been had,
22 and we have the chance to have the maximum number before we
23 start interviewing or there might be some prejudicial
24 implications.

25 Therefore, I think our publishing request should be
on or about September 1st and, if they don't have it going

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1 before that, don't put it in.

2 MR. THURMAN: These people were advised, and the ABA
3 did get us in the next issue. I am a little concerned as
4 to whether there is any national association of legal
5 newspapers or how you go about finding out where all the
6 lawyer legal newspapers are.

7 MR. CRAMTON: I think the Staff can be called on
8 to do the research and to provide you with a list and to,
9 indeed, mail out the notices, see that they get placed
10 very promptly, if the Committee wants that to be done.
11 You won't have to do it yourself.

12 MR. THURMAN: That's a relief.

13 MR. BROUGHTON: Mr. Chairman, I know we have a
14 number of people in the audience and, presumably, from out
15 in the country, and I wondered if the Board would give us
16 consent to hear from anybody in the audience, number one,
17 whether that which has been done up to now has gotten
18 around the country, and if anyone has any suggestions --

19 MR. SMITH: If they have an organization to
20 suggest, that we haven't thought of.

21 MR. THURMAN: I would welcome that.

22 MR. CRAMTON: I would ordinarily do it, but it
23 seems to me that because there is going to be a meeting of
24 the Committee tomorrow, which is open to the public, that that
25 would provide a more suitable forum for the views and

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1 attitudes and suggestions of members of the public to be
2 communicated to the Committee, and we need not take the time
3 today. That meeting will follow immediately perhaps after
4 the luncheon recess, we don't know, but at a time to be stated
5 immediately after the adjournment of the Board Meeting tomorrow;
6 is that correct, Mr. Thurman?

7 MR. THURMAN: That's my understanding, yes.

8 MR. CRAMTON: And if that meets with the Board's
9 approval, I would defer general comment until that time.

10 Does that complete the report of your Committee,
11 Mr. Thurman?

12 MR. THURMAN: Yes. Let's see, yes, I think that's
13 all that we need at this present time.

14 MR. CRAMTON: Does the Board have any suggestions
15 or directions?

16 The resolution which creates this Committee states
17 that it will report to the Board at each meeting of the Board
18 and that any further suggestions or directions that the Board
19 has as to how it should proceed or what it should do next
20 will be made from time to time at each meeting.

21 So, now is your opportunity to make suggestions.

22 MR. ORTIQUE: I would like to ask Lou, if he
23 would, to, as quickly as possible, assign to us a specific
24 person on the Staff --

25 MR. OBERDORFER: We have done that, Carol Pitchersky.

bw8

1 MR. ORTIQUE: Very good. Because we need to go
2 right into that person at all times and know that we are
3 touching base with that individual.

4 MR. SMITH: Mr. Chairman, I think one point that
5 Dean Thurman made needs to be underlined in our publicity
6 about the activity of the Committee, though. In my experience
7 with search committees, the fact that the criteria, the
8 guidelines, the dissemination of the announcement and all those
9 things are going to be talked about in public meetings, I
10 think the thing that needs to be underlined is the interviews
11 by the Committee will be in executive session. The reason
12 I think that is extremely important to give the maximum
13 encouragement to possible applicants who might not otherwise
14 want to come out before a public meeting and present their
15 own qualifications and have a public hearing, when it might
16 jeopardize their possible present employment or present
17 position, which they might not wish their employers to know
18 they were applicants. And I think it is important in a
19 search committee that they be assured that at least their
20 initial interviews with the Search Committee will be in
21 executive session.

22 I think we will get the widest possible number of
23 applications that way. Otherwise, we might restrict some
24 very excellent possibilities.

25 MR. CRAMTON: The absence of suggestions from other

1 members of the Committee suggests to me that the Board has
2 great confidence in the progress that the Committee has made
3 thus far, and that it has no further directions to give the
4 Committee at this time; is that a correct statement, gentlemen?

5 MR. BROUGHTON: Did you settle the question of
6 expense?

7 MR. CRAMTON: I thought it was by unanimous
8 consent, we advised the Committee that that would be an
9 appropriate expense, that if they invite a candidate for an
10 interview, reasonable travel expenses may be reimbursed
11 by the Corporation.

12 MR. ORTIQUE: Within the guidelines.

13 MR. CRAMTON: Within the guidelines that we are
14 establishing today for reimbursement of Board members for
15 travel expenses.

16 Please let me know if that action has not already
17 been taken by unanimous consent.

18 MR. SMITH: Well, the Committee was very --

19 MR. CRAMTON: There is going to be no per diem
20 compensation, merely reimbursement of travel expenses.

21 MR. SMITH: The Committee felt very strongly on
22 that point, but wanted the support of the whole Board.

23 MR. CRAMTON: You have that support.

24 Do I have unanimous consent of the Board to
25 recognize Mr. Veney of the National Clients Council?

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MR. COOK: Yes.

MR. CRAMTON: Mr. Veney?

MR. VENEY: I don't want to take much of the Board's time at this point, because I know tomorrow you will be considering your bylaws and the executive issues will be brought up at this point, but I do want to register a very strong concern of the Client Council as to the holding of your screening meetings in executive session. I think that I have not yet heard a rationale for that, which is so overriding that it would take care of the concerns that I have about the Chief Executive Officer of what will be the country's largest law firm being chosen without a good deal of public commentary, a good deal of public input.

Thank you.

MR. CRAMTON: Well, I hope that that question can be raised and discussed with the Committee at its meeting tomorrow.

The next item on the agenda is the report by Staff on Transition Activities, but it is now quarter of 11:00 and we are going to recess for a coffee break.

During this recess I propose that the Board meet in ~~executive~~ session to receive views from Counsel on two questions: first, its obligations, if any, toward existing Office of Legal Services personnel; and second, its authority, if any, during the 90-day transition period

1 concerning the orderly continuation of existing Legal
bwl1 2 Services' activities.

3 In accordance with the statutory requirement,
4 I would receive a motion by the Board that we meet in
5 executive session which, as you know, requires a two-thirds
6 vote.

7 MR. BROUGHTON: I so move, Mr. Chairman.

8 MR. BREGER: I second that motion.

9 MR. ORTIQUE: Providing you are to consider
10 these matters only.

11 MR. BROUGHTON: Yes, yes.

12 MR. CRAMTON: It was so moved by Mr. Broughton
13 and seconded by Mr. Breger.

14 The question is before you. All those in favor
15 say "aye."

16 (All said "aye.")

17 MR. CRAMTON: All those opposed say "no."

18 (No response.)

19 MR. CRAMTON: We have a two-thirds vote and a
20 executive session will be held.

21 We will reconvene -- it is now ten minutes of
22 11:00. We will reconvene by 11:30.

23 (Recess.)

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bwm 4-1

1 MR. CRAMTON: There is a quorum of Board members
2 here. Mr. Cook has had to leave for an hour or so, but as
3 soon as the restrooms empty, a quorum will be available.

4 In the meantime I might announce the lack of progress
5 and action that occurred in our executive session. The Board
6 was able to discuss with counsel only the first of the two
7 items which I mentioned, that is, its obligations, if any,
8 toward existing offices of legal services personnel. It took
9 no votes, reached no conclusions, and has no action to report.

10 It did not discuss the other item, and it may
11 desire to do so during its luncheon today.

12 The minutes have now arrived, the draft minutes of
13 July 14, 1975, and they have been distributed to members of
14 the Board. I do not know whether the members of the Board
15 have had opportunity to examine them and feel comfortable
16 with them and are prepared to entertain a motion for their
17 adoption.

18 MR. THURMAN: I so move, Mr. Chairman.

19 MR. CRAMTON: They are included in your materials
20 under the tab that says "Draft Minutes."

21 MR. THURMAN: Aren't these the same as the ones we
22 received a few days ago?

23 MR. CRAMTON: With very few stylistic changes
24 and/or corrections.

25 MR. THURMAN: I read those and I approve those.

bwm 4-2

1 MR. SMITH: I haven't found them yet, Mr. Chairman.
2 I didn't receive any a few days ago.

3 I have them. Thank you.

4 MR. STOPHEL: I see that Mr. Smith's name is not
5 spelled correctly.

6 MR. CRAMTON: Instead of Glen S. Smith, it will
7 be Glee S. Smith on Page 1.

8 Do I have a motion pertaining to the minutes?

9 MR. THURMAN: I move their approval, Mr. Chairman.

10 MR. CRAMTON: Is there a second?

11 MR. BREGER: I second that.

12 MR. CRAMTON: Is there discussion?

13 Are you ready for the question?

14 MR. ORTIQUE: Yes.

15 MR. CRAMTON: It has been moved and seconded that
16 the draft minutes of July 21, 1975, with the one correction
17 made be adopted as the minutes of the July 14th meeting.

18 All those in favor, say "Aye."

19 (A chorus of Ayes.)

20 MR. CRAMTON: All those opposed, say "No."

21 (No response.)

22 MR. CRAMTON: The minutes are adopted.

23 The next item on the agenda is the report by staff
24 on transition activities. I call on the counsel to the
25 Corporation, Mr. Oberdorfer.

bwm 4-3

1 MR. OBERDORFER: Mr. Chairman, the staff activities
2 are known, some parts of them to some and some parts to
3 others. I want to give an overview and take the occasion to
4 introduce those who are helping us.

5 I emphasize that we have endeavored to carry out
6 your directive that we involve in the transition staff only
7 people who understand that they are transitional only and are
8 not to anticipate permanent employment with the Corporation.

9 Our central activity, or wone of our central
10 legal activities has been the support of the Committee on
11 Rules and Regulations in the drafting of the bylaws and a
12 draft of rules and regulations. That has been performed for
13 us by David Tatel and Tom Reston of Hogan & Hartson; by
14 Marshall Hornblower and Alan Weitz of Wilmer, Cutler, &
15 Pickering; and with the help and close supervision of the
16 Chairman.

17 If David and Tom would identify themselves, they
18 are sitting over there on the right.

19 MR. CRAMTON: The record will show that David Tatel
20 and Tom Reston, respectively left and right as I face them,
21 have stood.

22 MR. OBERDORFER: A second main function, of course,
23 has been the providing of support for the appropriations
24 presentations by the Chairman that were reported earlier this
25 morning by Mr. Stophel.

bwm 4-4

1 MR. CRAMTON: In that connection I might add that
2 we had the assistance of some very experienced collators
3 and Xerox operators, James Flug and Tony Loccrichio, late in
4 the evening.

5 MR. OBERDORFER: They met more than that, but the
6 appropriations process has been one hand of the piano pedaling,
7 the other hand being arrangements for the transition financing
8 itself.

9 Again, David Tatel has been playing a major role
10 in that.

11 Next in importance has been the arrangement for the
12 staffing and the local financing, if you will, of the transi-
13 tion. We have been, I think the word is "blessed" -- I certainly
14 consider ourselves blessed -- by having the services of
15 Robert Shea, who has been at the present time, until about a
16 week ago, the manager of the American Red Cross for Greater
17 New York. He was, prior to that, for many years the vice-
18 president of the American Red Cross, whose primary responsibili-
19 ty was physical disasters. He was involved every time there
20 was a hurricane or a tornado or serious fire. Bob Shea was
21 the man who went to the scene for the Red Cross, and while
22 everybody else was hysterical and tearing their hair in the
23 midst of pain and anguish, he was the cool organizer of the
24 situation, whatever it was.

25 I called Bob on a Monday morning in New York and

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told him that he had an opportunity to prevent a disaster, and Monday afternoon he called and said that the chairman and the president of the American Red Cross had agreed that he could be available to us for at least 30 days, and on the next Wednesday morning he was there, and so far as I know, he has not gone yet, and I would like to introduce Bob Shea.

Bob has been helpful to all of us in every respect, starting with bringing flowers in the morning, but he also has helped immensely in working out the mechanics of the financing and the appropriations process; in helping the selection of the staff; and in designing and being interfaced between these nonoperational, all-thumbs lawyers like the Chairman, and David Tatel, and me, and a very talented group that I will next identify to you whose services have been made available to us by the Office of Management and Budget of the Executive Office of the President. This group will be available during the transition to help us design whatever kind of system we feel is required to permit us to function as authorized and required by law on October 13th. That is Day 1.

The group consists at the present time, first of all, of Jim Lancaster, who is one of those who was in the Executive Development Program conducted by the Office of Management and Budget and the Civil Service Commission for the promising executives in government. His resume, which I

bwm 4-6

1 have before me shows experience ranging -- as does Bob Shea's
2 experience -- from the private sector into government, and in
3 between in sort of quasi-government activities. His most
4 recent responsibility has been in the creation literally of the
5 original organization of the U.S. Railways. He has also worked
6 in the development of model cities, community action programs,
7 and in between has had a rich variety of planning and management
8 experience. And I would like Jim to rise.

9 His colleague in this also is an alumnus of the
10 Executive Management Program, is Lewis True, who has spent a
11 good deal of his time in various management analyses, planning
12 evaluation programs, primarily in the Food and Drug Administra-
13 tion, where the development of standards and the application
14 to people doing a variety of demanding tasks is important.

15 They will later be joined by another of their
16 alumni from the Executive Development team, Bob Jenkins, who
17 has also had start-up experience, recently has been involved
18 in the start-up of one of the new commissions which is underway
19 to the point where he can be relieved of it.

20 With Bob Shea at one end pulling and at the other
21 end Tony Mondello pushing -- Tony Mondello is a veteran
22 Department of Justice lawyer who, when I first knew him, was
23 in the Civil Division, and he was responsible, I believe, for
24 the latter day of the alien property custodian, so he has been
25 active in not only the birth but the demise of agencies.

bwm 4-7

1 He was also most recently, as a matter of fact,
2 retired, and I believe we were able to engage his services.
3 He retired a few days ago as General Counsel for the Civil
4 Service Commission, and we think that he will add the lawyer-
5 operator perspective to the work these management people are
6 doing, and I would like to introduce Tony.

7 This group has designed a program which will provide
8 the Board and the rest of us with their best ideas of what we
9 should have in the way of a grant-making mechanism, a hearings
10 system, and an evaluation system to put in place on October 13.

11 Now, in addition to these folks, we have on the
12 staff sort of -- well, I don't say alone, but we are grateful
13 for the Lawyers Committee on Civil Rights for releasing to us
14 part-time Carol Pitchersky, who will be our staff person
15 responsible, I believe, for the operation of the Board staff
16 support and the Committee's, and she, as I mentioned in response
17 to Mr. Ortique's question this morning, will provide direct
18 staff support for the Presidential search, the filing, the
19 maintenance of confidential data, and, of course, also the
20 logistics of organizing meetings like this and the Committee's
21 meetings.

22 Carol, please stand.

23 The acting secretary of the Board and the secretary
24 of the Board, Jeanette Sisson, you met last week, and she is
25 here and she is with us everyday and she is very helpful.

bwm 4-8

1 We have also, because lawyers really don't under-
2 stand the press and the press doesn't understand lawyers, we
3 have the counsel of Joseph Mohbat who is an old-time reporter
4 now going to law school and who used to cover the Department
5 of Justice at other times.

6 Mr. Chairman, if I may refer to Senator Cook's
7 material, or do you want to take that at another time?

8 MR. CRAMTON: Yes. Mr. Cook had hoped to be here
9 when the report of his committee on administration was made,
10 but he has the unfortunate disadvantage that other Board mem-
11 bers don't have of being here in Washington and finding it
12 more difficult to disentangle himself than those of us who
13 are on the road, and he has had to leave our meeting momentari-
14 ly, and we decided to go ahead and have Mr. Oberdorfer present
15 the report of his committee.

16 MR. OBERDORFER: Mr. Chairman, I omitted from this --
17 I was so busy thinking about this system that I have been
18 trying to crowd into my own head about systems. -- Dick Carter
19 is on the staff full-time. Dick, as everybody knows, has been
20 the director of the legal services training program at
21 Catholic University. He will be, among other things, the
22 person to inform and counsel and teach all of us, with such
23 resources as he chooses to mobilize, what the program is all
24 about, and he will work very closely with this OMB team. He
25 is available to them, and they are available to him. And he

bwm 4-9

1 also has full access to all of the rest of the things that are
2 going on in the office.

3 We have also on a part-time basis obtained the
4 advice and counsel from time to time of Kent Morrison, who
5 was an assistant director of the Office of Legal Services at
6 another time, and he is also primarily a source of information
7 and an ambassador for this Corporation, the OMB team to OLS and
8 to people who have had experience over the years who wouldn't
9 be known to us but would be known to either him or to
10 Dick Carter.

11 I am sorry I omitted that.

12 MR. CRAMTON: Thank you very much for that report,
13 Mr. Oberdorfer.

14 If there are no questions from members of the
15 Board concerning the transition staff and activities, I will
16 turn now to the next item on the agenda, which is, as I indi-
17 cated, the report by the chairman of the Committee on admini-
18 stration to be made in his absence by Mr. Oberdorfer.

19 Mr. Oberdorfer.

20 MR. OBERDORFER: Mr. Cook left with me this memo-
21 randum, which I will generally read or paraphrase as the
22 report of the Committee on administration on the personnel
23 policy and operating manual, which it considered at a committee
24 meeting just the weekend before last and has been considering
25 since.

bwm 4-10

1 This document was prepared primarily by
2 Jim Lancaster, using the experience of other general, similar
3 corporations that were created to take over what had on other
4 occasions been government functions, and the memorandum states:

5 "The Draft Legal Services Corporation Personnel
6 Policy and Operating Manual was prepared after extensive re-
7 search, review, and analysis of personnel policy and procedures
8 of nine quasi-government corporations; the Federal Personnel
9 Manual; the Public Personnel Administration's Policies and
10 Practices for Personnel; and the National Agreement between
11 the Office of Economic Opportunity and American Federation of
12 Government Employees (AFL-CIO) for National Council of OEO
13 locals.

14 "In addition, extensive interviews with personnel
15 officials of the United States Railway Association (a quasi-
16 government corporation) provided insights into the background
17 of the formulation of that corporation's personnel policies
18 and operating procedures. The substance and format of the LSC
19 draft manual is the result of selective compilation from the
20 above sources, with emphasis on the USRA and Federal National
21 Mortgage Association manuals, tailored to the currently per-
22 ceived needs of LSC. Efforts were made to develop a LSC
23 Personnel Policy and Operating Manual which emphasized personnel
24 policies of a private corporation, but recognized the limitations
25 of a government-funded organization.

bwm 4-11

1 "We recommend that the resultant draft manual be
2 accepted by the Board and used as the LSC official manual
3 providing personnel and operating guidelines, until such time
4 as the President of the Corporation, should he deem to do so,
5 presents proposed amendments and revisions for the Board's
6 ratification."

7
8 Gentlemen, a copy of this manual is now before each
9 member of the Board.

10 As I understand it, Mr. Chairman, it is the in-
11 tention of this committee to further suggest that the manual be
12 made available to the public in the Legal Services Corporation
13 office at 1725 K Street for consideration and comment.

14 Since it is of a thoroughly tentative nature and
15 other reasons, there is no present intention of publishing
16 it in the Federal Register. Its application, as I understand
17 it, is to employees of the Corporation, not to recipients of
18 grants from the Corporation, and for the moment, since only
19 a handful of employees are involved, it will have limited
20 application to those who are here temporarily and without
21 too much regard for benefits and fringes and things like
22 that.

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MR. CRAMTON: The Committee, I understand, is ready to draft resolutions on this item and I understand Mr. Broughton on behalf of the Committee plans to move the resolution.

Mr. Broughton.

MR. BROUGHTON: Yes, Mr. Chairman, if I may on behalf --

MR. CRAMTON: Excuse me, Mr. "Broughton". I think is the correct pronunciation. I'm sorry.

MR. BROUGHTON: I would like to offer this resolution from the Committee, and Mr. Oberdorfer, of course, has made the explanation as far as the Committee's consideration is concerned. The Committee met Saturday a week ago with all members of the Committee being present and "RESOLVED, that the proposed Legal Services Corporation Personnel Policy and Operating Manual dated July 26, 1975, shall be available in the offices of the Legal Services Corporation, 1725 K Street, N.W., Suit 413, Washington, D. C. 20006, during business hours Monday through Friday, for public inspection and comment for 30 days; and FURTHER RESOLVED, that said proposed manual shall, to the extent practicable and consistent with law, serve as a guide to the personnel policies of the Corporation's transition staff until further action of the Board."

That is the resolution, Mr. Chairman, and I move its adoption.

MR. CRAMTON: Thank you, Mr. Broughton. Is there

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1 a second?

2 MR. SMITH: Second.

3 MR. CRAMTON: Is there discussion?

4 MR. STOPHEL: How do we intend to use it, I
5 guess, is my real question? We say it is suggested as a guide
6 for this period. What does that mean?

7 MR. CRAMTON: We are not adopting it as a
8 personnel manual. I think the intent is there may be a
9 question, for example, as to under what circumstances a
10 transition employee is entitled to overtime pay. There may be
11 a question as to the policy in terms of reimbursement for
12 travel expenses and similar kinds of questions and what is
13 being done here is that the transition staff will be guided,
14 not bound, by the policy on such matters that are expressed
15 in this manual because we don't have any others until and
16 unless we get some other and the motion is not a literal
17 adoption and particularly it is only with respect to those
18 issues which arise with respect to those employees of the
19 transition staff that raise these questions like the two I
20 have just mentioned.

21 MR. BROUGHTON: That's correct. That's the limit
22 of it. That was the discussion with the Committee and Mr.
23 Lancaster, who worked quite diligently and quite extensively
24 on this, met with the Committee and we went over this at least
25 to some extent with him. As the Chairman pointed out, the

cmw3

1 Committee does feel there needs to be at least something during
2 the transitional period that would serve as a guide, being
3 understood, of course, that this is not anything permanent as
4 far as the board is concerned and Mr. Lancaster is here. You
5 may, if you want, ask him any question about it, but that
6 generally is the feeling of the Committee, that we needed some-
7 thing at the time and this is in the opinion of the Committee
8 something that is very practical and should be --

9 MR. STOPHEL: I didn't care to have any further
10 explanation. I just wanted to make sure that the Committee
11 has considered this because it has been just handed to us.

12 MR. BROUGHTON: The Committee did go over this
13 on the 26th and Mr. Lancaster was there, and there was some
14 discussion at that time, and the Committee members went through
15 this and since has reviewed it; and Mr. Cook, who is Chairman
16 of the Committee, later met, as I understand, Mr. Lancaster.
17 At least when I left the meeting the two of you were
18 discussing about meeting later in the week, and I assume that
19 was done. And so, as I say, that's the Committee's attitude
20 about this and we are not submitting this as something that's
21 permanent or that the board by approving this resolution
22 commits itself that this is a part of the permanent board's --

23 MR. CRAMTON: Further discussion? If not, are
24 you ready for the question? All those in favor of the
25 adoption of the resolution please say "aye."

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1 (A chorus of "ayes.")

2 MR. CRAMTON: Those opposed say "no."

3 (No response.)

4 MR. CRAMTON: The proposed resolution is adopted.

5 The next item from the Committee on Administration,
6 Mr. Broughton, is the proposed resolution that deals with
7 reimbursement and compensation of members of the board, a
8 subject that has arisen from time to time in conversations that
9 I have had with members of the board.

10 MR. BROUGHTON: Yes, sir, that was another item
11 for consideration by the Committee at this meeting and I might
12 say that all members of the Committee were present for the
13 meeting in addition to the Chairman and Mr. Oberdorfer and
14 others and we did have a discussion about the question of
15 compensation per diem and the handling of reimbursement of
16 expenses so far as the board is concerned. And after a full
17 discussion about this, the Committee has proposed this recommen-
18 dation which I will read with this resolution, if I may,
19 Mr. Chairman.

20 MR. CRAMTON: Please do.

21 MR. BROUGHTON: "RESOLVED, pursuant to Section
22 1006(d)(2) of the Legal Services Corporation Act of 1974,
23 88 Stat. 382, 42 U.S.C. 2996e(d)(2), Directors of the Corpor-
24 ation shall be entitled to receive for their services as
25 members of the Board or of any committee thereof, per diem

cmw5

1 compensation in the amount of \$100 and reimbursement of
2 expenses incurred for travel, subsistence and out-of-pocket
3 expenses in accordance with standards applicable to consul-
4 tants to the Federal Government."

5 Now, as I understand it, Mr. Chairman and members
6 of the board, the specific provisions of this act would allow
7 a per diem amount larger than that which the Committee has
8 recommended which I think is \$138 --

9 MR. CRAMTON: It just went up with the federal pay
10 bill by another 5 percent, from \$138.36 but the recommendation
11 of the Committee was for \$100.

12 MR. BROUGHTON: But this part was discussed and
13 the Committee did feel unanimously that it should be that
14 which was adopted and that which we recommended to the board
15 for its action.

16 MR. STOPHEL: We're exhibiting our frugality with
17 the money?

18 MR. BROUGHTON: Yes, sir. It is not mandatory
19 that you accept this, I guess, but we recommend that you do.

20 MR. CRAMTON: Is there a second? You have heard
21 the resolution.

22 MR. SMITH: I will second it.

23 MR. CRAMTON: The resolution has been made and
24 seconded. Is there discussion?

25 MR. SMITH: Is that last phrase about travel

cmw6

1 subsistence and out-of-pocket expenses, does that include
2 actual expenses or is that a limited amount?

3 MR. CRAMTON: As I understand it, the federal
4 government policies are in an alternative form and this also
5 is included in the personnel manual that will here also serve
6 as a guide because it tracks federal government policy.
7 The policy as I understand it is that members of the board
8 will be reimbursed for actual expenses up to a limit of
9 \$50 per day if they itemize their expenditures or alterna-
10 tively an allowance of \$35 per day, and you have this not
11 including actual travel expenditures which is over and above.
12 Lodging, room and board and incidental expenses up to a
13 maximum of \$50 a day or if the board member prefers a per
14 diem allowance of \$35 per day for those items.

15 MR. BROUGHTON: That would be separate and apart
16 from the cost of, say, your plane ticket coming from Kansas
17 to Washington and return.

18 MR. CRAMTON: This is indeed the policy of the
19 federal government for consultants.

20 MR. SMITH: One other thing in addition to that
21 or as a supplement to it, I was wondering about expenses that,
22 well, for instance, Committee members will have a lot of
23 telephone expenses and so on. Is it anticipated that we will
24 have a credit card number or something?

25 MR. BROUGHTON: Yes, sir, we discussed that and

1 there was consideration given that at some point as we became
2 more organized. It may be more expeditious as far as the
3 handling of long-distance telephone calls to have a credit
4 card issued to the board members. In the meanwhile, we
5 suggested that such expenses you incur in that connection
6 then be itemized in connection with any expense report you
7 turn it.

8 MR. CRAMTON: It is contemplated that some
9 telephone credit card will be available to each board
10 member, that expenses which they incur in their homes in
11 connection with postage and telephone on board business,
12 that they will be reimbursed for on the submission of an
13 appropriate letter, and that all of the procedures for doing
14 this will be simple and expeditious but in accordance with
15 general practices of the federal government.

16 MR. BREGER: That's a contradictory statement.

17 MR. BROUGHTON: I'm not certain that the
18 Committee resolved that.

19 MR. CRAMTON: Is there further discussion on
20 this resolution? If not --

21 MR. BROUGHTON: Mr. Chairman, it may be well
22 to make one statement about or clarification about this per
23 diem. We discussed that from the standpoint of what con-
24 stitutes per diem, I'm talking about the \$100 per day, and as
25 we understood it that would involve having a board member

1 contributing the vast majority of his time on a particular
2 day to board business, either attendance of board meeting or
3 a Committee meeting. Mention was made, for example, if a
4 board member wanted to spend the better part of a day visiting
5 an operation somewhere in the country, that would be involved,
6 too, and that of course would have to be listed in some
7 appropriate form.

8 MR. THURMAN: That does not seem to be included,
9 does it, in the board's resolution. It speaks of board
10 meetings or committee meetings.

11 MR. CRAMTON: Services as members of the board
12 and certainly services as members of the board would include
13 the attendance on legislative hearings on which we have been
14 invited such as the appropriation hearings. They will
15 certainly include the board members familiarizing themselves
16 with the activities of Legal Service organizations by visiting
17 them. I think the intention is that it is a fairly broad
18 category but does, is subject to the restriction that it is
19 board business and a substantial portion of the day is spent
20 on board business.

21 MR. BROUGHTON: I will use the illustration that
22 we discussed as a part of your service as a member of the
23 board and that is if on your own initiative or by invitation
24 you want to go out and spend the better part of a day visiting
25 a local program to see how it is functioning. That would be

cmw9

1 a part of your services as a member of the board.

2 MR. ORTIQUE: What about invitations to parti-
3 cipate in conferences and things like that?

4 MR. BROUGHTON: Yes, I think that was covered,
5 too.

6 MR. ORTIQUE: As long as you are invited as a
7 board member.

8 MR. BROUGHTON: Yes. Are there any other questions?
9 If not, Mr. Chairman, I move the adoption of this resolution.

10 MR. CRAMTON: Perhaps this is an item which,
11 since it involves compensation of board members in which
12 members of the public here may have an interest, is there
13 unanimous consent for receiving any brief comments from
14 members of the public?

15 MR. STOPHEL: We were just discussing in the
16 informal hearing is the per diem is zero or a hundred? There
17 is no allocation, for example, if a member spends a half a
18 day.

19 MR. CRAMTON: You could make it half a day?

20 MR. STOPHEL: You could?

21 MR. CRAMTON: Yes. Are there any comments by
22 members of the public on this proposed resolution?

23 Let's proceed to vote. All those in favor of the
24 resolution please say "aye."

25 (A chorus of "ayes.")

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1 MR. CRAMTON: All those opposed say "no."

2 (No response.)

3 MR. CRAMTON: The proposed resolution is
4 adopted.

5 MR. ORTIQUE: What is the effective date, Mr.
6 Chairman?

7 MR. CRAMTON: It is effective retroactive as of
8 the first meeting of the board, July 14, 1975.

9 MR. BROUGHTON: Mr. Chairman, that's a good
10 question, I should have covered that. The Committee felt
11 that that should have been retroactive to the briefing
12 sessions on July 12 and 13. In other words, begin as of
13 July 12.

14 MR. CRAMTON: Yes, and I misspoke in my response.
15 Retroactive as of July 12, 1975.

16 MR. THURMAN: Mr. Chairman, I think those
17 meetings, were they not taken care of, the expenses there?

18 MR. ORTIQUE: Not the per diem.

19 MR. THURMAN: The travel, yes.

20 MR. BROUGHTON: That's the Committee's recommen-
21 dation and I should have added that, that's a good question,
22 that per diem, expenses, well, expenses that you incurred
23 which were properly reimbursed in addition to the per diem
24 begin as of July 12.

25 MR. SMITH: But those were already submitted to

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1 Catholic University, were they not?

2 MR. BROUGHTON: Well, not your plane ticket.

3 MR. SMITH: Yes, it was. Anyway I submitted it.

4 MR. BROUGHTON: Well, I didn't know that. I
5 have not.

6 MR. CRAMTON: We have now completed this item
7 about reimbursement of board members and compensation and
8 reimbursement of board members. The next item from the
9 Committee on Administration will be presented by Mr. Ober-
10 dorfer in Mr. Cook's absence.

11 MR. OBERDORFER: Mr. Cook has asked me to read
12 a resolution from the Committee on Administration with
13 respect to the designation of the Riggs National Bank as the
14 depository for the corporations' funds. I might say paren-
15 thetically that this is being done at this time with every
16 expectation that the matter of who our depository will be
17 will be the subject of some competitive solicitation at the
18 proper time. The resolution is as follows: "RESOLVED,
19 That the Riggs National Bank of Washington, D. C., is hereby
20 designated a depository for the funds of this Corporation
21 and the said bank is hereby authorized and directed to pay
22 checks and other orders for the payment of money drawn in
23 the name of this Corporation when signed by any two of the
24 following: Roger C. Cramton, Chairman; Marlow W. Cook,
25 Director and Acting Treasurer; Louis F. Oberdorfer,

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1 Temporary Counsel; David S. Tatel, Temporary Counsel; Acting
2 Assistant Treasurer (to be named), and the said bank shall not
3 be required, in any case, to make inquiry respecting the
4 application of any instrument executed in virtue of this
5 resolution, or of the proceeds therefrom, nor be under any
6 obligation to see to the application of such instrument or
7 proceeds?"

8 MR. SMITH: Mr. Chairman, I move the adoption of
9 that resolution.

10 MR. CRAMTON: The resolution has been moved and
11 seconded. Is there discussion? If not, I move the question.
12 All those in favor of the adoption of the resolution please
13 say "aye."

14 (A chorus of "ayes.")

15 MR. CRAMTON: All those opposed say "no."

16 (No response.)

17 MR. CRAMTON: The resolution is adopted. Is there
18 another item from the Committee on Administration?

19 MR. OBERDORFER: Yes, there is. There are two
20 other items.

21 MR. CRAMTON: There are two further items from
22 the Committee on Administration which Mr. Oberdorfer will now
23 present.

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MR. OBERDORFER: "RESOLVED, that Mrs. Jeannette

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Sisson is hereby appointed Acting Secretary of the Legal

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Services Corporation, to hold office at the pleasure of the

4

Board of Directors, and to receive such compensation as shall

5

be fixed by the Chairman of the Board of Directors, or his

6

designee."

7

MR. STOPHEL: I move adoption.

8

MR. BREGER: Second.

9

MR. CRAMTON: All those in favor of the adoption

10

of the Resolution, please say "aye."

11

(A chorus of Ayes.)

12

MR. CRAMTON: All those opposed, say "no."

13

(No response.)

14

MR. CRAMTON: The Resolution is adopted.

15

MR. OBERDORFER: Resolution F of the Agenda:

16

"RESOLVED, that Marlow W. Cook is hereby appointed

17

Acting Treasurer of the Legal Services Corporation, to hold

18

office at the pleasure of the Board of Directors, and to receive

19

such compensation as shall be fixed by the Chairman of the

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Board of Directors, or his designee.

21

"RESOLVED FURTHER, that pursuant to the By-laws

22

of the Legal Services Corporation, the Chairman of the Board

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of Directors, or his designee, is hereby authorized to enter

24

into an agreement providing for the faithful discharge of the

25

duties of the Treasurer or Acting Treasurer in such sum and with

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1 such sureties as the Chairman of the Board of Directors, or
2 his designee, shall determine.

3 "RESOLVED FURTHER, that the Chairman of the Board
4 of Directors, or his designee, is hereby authorized and
5 directed to do or cause to be done, all such things as shall
6 be necessary or appropriate, including without limitation,
7 the execution, filing, and delivery of necessary or appropriate
8 documents, to ensure that such bonding agreement is success-
9 fully completed."

10 MR. THURMAN: I move this Resolution.

11 MR. SMITH: Second.

12 MR. CRAMTON: Discussion, Mr. Ortique?

13 MR. ORTIQUE: When we speak of compensation for
14 the Acting Treasurer, does that fly into the teeth of the
15 proposed regulation that says that Board members should not
16 be compensated other than as is provided with reference to
17 consultants and so forth?

18 MR. CRAMTON: If I might respond, there is a
19 provision of the proposed bylaws which will be considered
20 tomorrow morning which deals with the question of any
21 compensation to Board members other than the \$100 per day
22 compensation and reimbursement for travel expenses. That
23 bylaw contains an exception to the effect that the Board may
24 authorize or direct exceptions to it.

25 It is my understanding that Mr. Cook plans to serve

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1 as Acting Treasurer for an interim and temporary period
2 without compensation.

3 MR. ORTIQUE: That's what I wanted on the record.

4 MR. CRAMTON: And that his selection was due to the
5 fact that he resides in the District of Columbia, has his
6 office in the District of Columbia and that it would be
7 extremely convenient in the signing of certain formal
8 documents to have papers here in the District of Columbia
9 to do so. Although it authorizes the Chairman to enter
10 into an agreement for compensation, as of now no compensation
11 will be sought or given.

12 MR. ORTIQUE: I thought the Senator wanted that
13 on the record.

14 MR. OBERDORFER: May I respond further,
15 Mr. Chairman?

16 Mr. Ortique, it is possible on short notice we
17 would be engaging the services of some professional, either
18 from the private sector or from the government, as a
19 permanent Acting Treasurer, in which event we would want
20 the Chairman to have authority to compensate.

21 MR. STOPHEL: I notice that we have a bonding
22 provision with regard to this signing of checks, but there
23 was an omission of such a requirement in the bank resolution
24 which authorized the signing of checks. Would that not be
25 appropriate that there be appropriate bonding provisions for

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1 all those authorized to execute checks? Is that coming in
2 in another resolution?

3 MR. OBERDORFER: I think it would be very
4 appropriate to authorize us to amend these resolutions to
5 include in those, bonding all of those who are authorized to
6 sign checks.

7 MR. STOPHEL: It should be done.

8 MR. CRAMTON: Should we consider that as an
9 amendment to this resolution?

10 MR. ORTIQUE: Why don't we do it to all of
11 them, just in globo.

12 MR. STOPHEL: I believe that the second part of
13 the Resolution, the second Resolution is the one which
14 provides for the securities and perhaps --

15 MR. CRAMTON: It needs to read "The Treasurer,
16 "The Acting Treasurer," or such other signatures may be
17 required."

18 MR. OBERDORFER: "Such persons authorized to sign
19 checks."

20 MR. STOPHEL: I move that amendment to this
21 Resolution be adopted.

22 MR. ORTIQUE: Seconded.

23 MR. CRAMTON: The amendment is adopted by
24 unanimous consent. The motion as amended is now before the
25 Board for consideration.

bw5

1 Is there discussion?

2 All those in favor of the motion, as amended,
3 please say "aye."

4 (A chorus of ayes.)

5 MR. CRAMTON: All those opposed, say "no."

6 (No response.)

7 MR. CRAMTON: The motion is adopted.

8 Finally --

9 MR. OBERDORFER: Well, not quite finally,
10 but "semifinally."

11 Mr. Cook has presented a resolution:

12 "RESOLVED, that the Chairman or his designee
13 is hereby authorized to make or cause to be made whatever
14 arrangements are necessary to:

15 "a. retain David S. Tatel and the law firm
16 Hogan & Hartson, Washington, D. C., as additional temporary
17 counsel to the Corporation to be reimbursed at the rate of
18 \$138 per day per lawyer for services rendered to the
19 Corporation on or after July 14, 1975; and

20 "b. retain the law firm of Morgan, Lewis &
21 Bockius, Philadelphia, Pennsylvania, and Washington, D. C.,
22 as additional temporary counsel to serve without compensation
23 until October 13, 1975."

24 MR. ORTIQUE: So moved, Mr. Chairman.

25 MR. CRAMTON: A second?

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1 MR. SMITH: I second it.

2 MR. CRAMTON: The motion has been moved and
3 seconded.

4 Is there discussion on the motion authorizing
5 the retaining of Mr. Tatel and the firm of Hogan & Hartson
6 at the rate of compensation indicated, \$138 per day per
7 lawyer, and to retain Morgan, Lewis & Bockius during the
8 transition period, that firm to serve without compensation,
9 which is now before the Board?

10 MR. BREGER: Am I correct in assuming that the
11 rate of compensation will be prorated, if a member of the
12 firm spent less than a day on corporation business?

13 MR. CRAMTON: I believe that an hourly accounting
14 is planned; is that correct, Mr. Tatel?

15 MR. TATEL: Yes.

16 MR. CRAMTON: In other words, the billable hours
17 will somehow be transformed into days, whether on the basis
18 of six hours a day or something like that?

19 MR. TATEL: I think it comes out to about \$17
20 an hour based on an eight-hour day.

21 MR. ORTIQUE: I abstain from that motion.

22 MR. STOPHEL: You're the beneficiary party.

23 MR. CRAMTON: All those in favor of the motion,
24 please say "aye."

25 ay (A chorus of ayes.)

1 MR. CRAMTON: All those opposed, say "no."

2 (No response.)

3 MR. CRAMTON: The motion is adopted.

4 I gather there is one more item from the
5 Committee on Administration and another one which we cannot
6 reach today, but we hope to reach tomorrow, technical
7 corporate business, which I do not believe are matters
8 of great significance, but which nevertheless we must
9 handle.

10 Mr. Oberdorfer?

11 MR. OBERDORFER: This is again from Mr. Cook
12 and the Committee on Administration:

13 "RESOLVED, that the Chairman of the Board of
14 Directors, or his designee, is hereby authorized to do or
15 cause to be done, all such things as shall be necessary
16 or appropriate, including without limitation, the execution,
17 filing and delivery of necessary or appropriate documents,
18 to borrow on behalf of the Legal Services Corporation from
19 the Riggs National Bank of Washington, D. C., a sum of money
20 not to exceed \$20,000 at a rate of interest not to exceed
21 one percent above the prime rate for a term not to exceed
22 30 days."

23 MR. CRAMTON: You have heard the motion. Is
24 there a second?

25 MR. THURMAN: I will second the proposed

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1 resolution,

2 MR. CRAMTON: Is there discussion?

3 Would you briefly explain the purpose of this
4 resolution, Mr. Oberdorfer?

5 MR. OBERDORFER: The purpose of the resolution is
6 to assure, in the event that we are not effective enough
7 lawyers to figure out a way to provide funds for the transition
8 in time to meet the next pay day, so we will be able to meet
9 the next pay day.

10 MR. CRAMTON: Is there further discussion?

11 MR. THURMAN: Very succinct.

12 MR. CRAMTON: All those in favor of the motion,
13 please say "aye."

14 (A chorus of ayes.)

15 MR. CRAMTON: Opposed, "No."

16 (No response.)

17 MR. CRAMTON: The motion is adopted.

18 Have we completed the business for the moment of
19 the Committee on Administration, Mr. Broughton?

20 MR. BROUGHTON: Yes.

21 MR. CRAMTON: Mr. Oberdorfer?

22 MR. OBERDORFER: Yes.

23 MR. CRAMTON: It is now 12:32, which is
24 the time at which we planned to adjourn. I think
25 Mr. Oberdorfer has one brief additional statement, and then

1 I have a matter that I would like to briefly raise.

bw9

2 Mr. Oberdorfer?

3 MR. OBERDORFER: I should have said, when I was
4 passing out the legion of the meritorious to all these people,
5 before they start to work, that we are forever in debt to
6 Alf Corbett of the Office of Legal Services and to many
7 people from NLADA, and the Project Directors for continuing
8 advice, and I'm not talking about the "push and shove,"
9 but technical assistance of this group. These have been
10 of great value to us and also to them and representatives
11 of the National Clients Council, to others who have come to
12 use with their concerns and their advice, both on the technical
13 level and in terms of policy, and I want to say that it's
14 terribly important to the transition staff and to the Board
15 that everybody recognize that we have to have that and if we
16 oversee it hospitably that doesn't mean that we
17 recognize the benefit.

18 MR. CRAMTON: It is extremely valuable, and I
19 am sure that the advice and help will keep coming. I understand
20 that Valerie Vanaman has requested an opportunity to address
21 two short questions to the Board before we adjourn for lunch,
22 and I have asked the Board for unanimous consent to allow her
23 to do so.

24 Do I have that consent?

25 MR. STOPHEL: Yes.

bw10

1 MR. CRAMTON: Miss Vanaman, the floor is yours.

2 MISS VANAMAN: The only real question is to
3 clarify the nature of the extent of items discussed in
4 executive session announced earlier this morning and to
5 indicate whether you intend to discuss any other items in
6 any type or form of executive session before reconvening
7 tomorrow morning.

8 MR. CRAMTON: I am glad you raised the question,
9 because I was going to make a statement on the subject
10 before we adjourned.

11 The members of the Board are now going to have
12 lunch together. I am going to propose that we do meet in
13 executive session during lunch. They are going to continue
14 their conversation with counsel on the first item I mentioned,
15 which they did not, I think, complete deliberating; that
16 item being the obligation of the Corporation, if any,
17 towards existing Office of Legal Services personnel.

18 I would also propose that they discuss with
19 Counsel and receive advice from Counsel on the Board's
20 authority, or the Corporation's authority, if any, during
21 the 90-day transition period concerning the orderly
22 continuation of existing Legal Services' activities.

23 Now, no action is contemplated to be taken at
24 this executive session and a report will be made to the
25 extent that it can be made without compromising the purpose

1 for which the executive session is held at the start of
2 the session tomorrow morning at 9:30.

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3 Miss Vanaman asked for more detail, I guess,
4 concerning what the content of that second item is. The
5 content, I think, has to do with legal questions and related
6 matters having to do with the support function of the so-
7 called "Support Center Activities" by the Community
8 Services Administration during the transition period, and it
9 is a subject which, indeed, will be reached and discussed
10 in public meeting in connection with Item 7 of the Agenda.

11 MISS VANAMAN: So that your discussion in executive
12 session will not be the exclusive discussion of that topic;
13 is that correct?

14 MR. CRAMTON: No, it will merely be an exchange
15 with Counsel prior to the open and public discussion of
16 that issue or of any issues in connection with it, in
17 connection with Item 7 of the agenda.

18 MISS VANAMAN: I think the matter of "pushing and
19 shoving" it is interesting to note that a program that has
20 over 65 percent of its clients female, women, if you will, that
21 an all-male Board has elected to have an all-male attorney
22 assistant. We only mention it in passing.

23 MR. CRAMTON: I have raised that issue with the
24 transition staff and made certain suggestions to them, which
25 hopefully, that they will pursue.

bw12

1 MR. SMITH: Mr. Chairman, I would move that we
2 adjourn until 9:30 tomorrow morning, with the provision
3 that we will have an executive session in the interim between
4 now and 9:30 for discussion of the subjects which the
5 Chairman mentioned.

6 MR. CRAMTON: Is there a second?

7 MR. STOPHEL: Second it.

8 MR. BROUGHTON: Mr. Chairman, I just wondered
9 if there is anyone else here, I don't know all the people here,
10 with the consent of the Board and maybe some people who
11 have come some distance, who might have something on their
12 mind, they might want to present to the Board before we
13 adjourn.

14 MR. CRAMTON: Come to the microphone and speak
15 or else speak up very --

16 MR. ORTIQUE: I move unanimous consent, Mr. Chairman.

17 MR. CRAMTON: Could you come up closer, please,
18 sir?

19 Please state your name.

20 MR. ROSENBERG: I'm Norman Rosenberg. I'm the
21 Legal Services Program Director from Spokane, Washington.
22 I have come quite a far distance, as have other people,
23 and we prefer to say it today, if possible.

24 It is not essential, however, I prefer to give
25 it today.

1 MR. CRAMTON: I guess I would prefer if it took
2 place in connection with Item 7 under which it has some kind
3 of general relevance, I believe. Are you going to be here
4 tomorrow?

5 MR. ROSENBERG: Yes, sir.

6 MR. CRAMTON: Well, then, we will, if the Board
7 gives unanimous consent, at that time, we will hear briefly,
8 hear from you briefly on that subject in connection with
9 Item 7 on the Agenda tomorrow morning.

10 Now -- we now, I gather, stand adjourned, when
11 the Board adopts the motion that has now been made and
12 seconded. We will meet tomorrow morning promptly at 9:30.
13 There will not be a delay, because the materials that need
14 to be considered tomorrow have now been made available to
15 the Board.

16 They consist, after this discussion of Item 7,
17 to which I have already referred, of the consideration of
18 proposed bylaws and the consideration of proposed draft
19 regulations, subject to Committee amendments that will be made
20 orally tomorrow morning, are now available, have now been
21 made available to members of the Board.

22 Are you ready to vote on Mr. Smith's motion to
23 recess until tomorrow morning at 9:30, subject to the
24 executive session which the Board will hold at lunch?

25 MR. SMITH: With the stipulation that the

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1 executive session discuss the items that you mentioned.

2 MR. CRAMTON: Yes. All those in favor of the
3 motion, please say, "aye."

4 (A chorus of ayes.)

5 MR. CRAMTON: All opposed, say "no."

6 (No response.)

7 MR. CRAMTON: We are adjourned until tomorrow
8 morning at 9:30.

9 (Whereupon, at 12:45 p. m., the meeting was
10 adjourned, to reconvene at 9:30 a. m., on Tuesday, August
11 5, 1975.)

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