

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS

MEETING OF THE  
BOARD OF DIRECTORS

OPEN SESSION

Tuesday, April 8, 2014

9:34 a.m.

Legal Services Corporation  
3333 K Street, N.W., 3rd Floor  
F. William McCalpin Conference Center  
Washington, D.C. 20007

BOARD MEMBERS PRESENT:

John G. Levi, Chairman  
Martha L. Minow, Vice Chair (by telephone)  
Sharon L. Browne  
Robert J. Grey Jr.  
Charles N.W. Keckler  
Victor B. Maddox  
Laurie Mikva  
Father Pius Pietrzyk, O.P.  
Julie A. Reiskin  
Gloria Valencia-Weber  
James J. Sandman, ex officio

## STAFF AND PUBLIC PRESENT:

Lynn Jennings, Vice President for Grants Management

Wendy Rhein, Chief Development Officer

Richard L. Sloane, Special Assistant to the President

Rebecca Fertig, Special Assistant to the President

Patrick Malloy, Grants Management/Legislative Fellow

Kendall Munna, Office of the President

Ronald S. Flagg, Vice President for Legal Affairs,  
General Counsel, and Corporate Secretary

Katherine Ward, Executive Assistant, Office of Legal  
Affairs

Mark Freedman, Senior Assistant General Counsel,  
Office of Legal Affairs

Stefanie Davis, Assistant General Counsel, Office  
of Legal Affairs

David L. Richardson, Comptroller and Treasurer,  
Office of Financial and Administrative Services

Carol A. Bergman, Director, Office of Government  
Relations and Public Affairs

Wendy Long, Office of Government Relations and Public  
Affairs

Jeffrey E. Schanz, Inspector General

Laurie Tarantowicz, Assistant Inspector General and  
Legal Counsel, Office of the Inspector General

Joel Gallay, Special Counsel to the Inspector  
General, Office of the Inspector General

John Seeba, Assistant Inspector General for Audit,  
Office of the Inspector General

Thomas Coogan, Assistant Inspector General for  
Investigations, Office of the Inspector General

## STAFF AND PUBLIC PRESENT (Continued):

David Maddox, Assistant Inspector General for  
Management and Evaluation, Office of the  
Inspector General

Magali Khalkho, Resource Management Specialist,  
Office of the Inspector General

Noel Rosengart, Office of the Inspector General

Kathryn Silvestri, Office of the Inspector General

Cyndy Robinson, Office of the Inspector General

Carla Smith, Office of the Inspector General

Charles Becker, Office of the Inspector General

Michael Shiohama, Office of the Inspector General

Lora M. Rath, Deputy Director, Office of Compliance  
and Enforcement

Janet LaBella, Director, Office of Program  
Performance

Eric Jones, Office of Information Technology

Herbert S. Garten, Non-Director Member, Institutional  
Advancement Committee

Frank B. Strickland, Non-Director Member,  
Institutional Advancement Committee

Allan J. Tanenbaum, Non-Director Member, Finance  
Committee (General Counsel, Equicorp Partners)

Don Saunders, National Legal Aid and Defenders  
Association (NLADA)

Terry Brooks, American Bar Association Standing  
Committee on Legal Aid and Indigent Defendants  
(SCLAID)

Dominique Martin, Law99.com

## C O N T E N T S

OPEN SESSION	PAGE
1. Pledge of Allegiance	6
2. Approval of agenda	6
3. Approval of minutes of the Committee's Open Session meeting of January 25, 2014	7
4. Chairman's Report	7
5. President's Report	14
6. Members' Reports	50
7. Inspector General's Report	50
8. Consider and act on resolution acknowledging the service of Ronald Merryman	54
9. Consider and act on resolution commending the Office of the Inspector General	55
10. Consider and act on the report of the Delivery of Legal Services Committee	58
11. Consider and act on the report of the Finance Committee	59
12. Consider and act on the report of the Audit Committee	60
13. Consider and act on the report of the Operations and Regulations Committee	61
14. Consider and act on the report of the Governance and Performance Review Committee	71

## C O N T E N T S

OPEN SESSION (Cont'd)	PAGE
15. Consider and act on the report of the Institutional Advancement Committee	73
16. Report on implementation of recommendations of the Pro Bono Task Force Report and Pro Bono Innovation Fund	74
17. Public comment	86
18. Consider and act on other business	86
19. Consider and act on whether to authorize an executive session of the Board to address items listed below, under Closed Session	86

## CLOSED SESSION

- 20. Approval of minutes of the Board's Closed Session meeting of January 25, 2014
- 21. Management Briefing
- 22. Inspector General Briefing
- 23. Consider and act on General Counsel's report on potential and pending litigation involving LSC
- 24. Consider and act on list of prospective funders
- 25. Consider and act on motion to adjourn meeting

Motions: 6, 7, 56, 58, 59, 61, 65, 67, 86

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

2 (9:34 a.m.)

3 CHAIRMAN LEVI: I'd like to call the duly  
4 noticed -- what number -- meeting of the LSC Board of  
5 Directors to order. We're approaching 40 years, so  
6 there have been many meetings.

7 And we're honored today to have Frank  
8 Strickland here, our predecessor chair for eight years  
9 in the Bush Administration. And as he's here, I'd like  
10 him to lead us in the pledge, and maybe he'll be joined  
11 in that by his esteemed colleague, Herb Garten.

12 (Pledge of Allegiance.)

13 CHAIRMAN LEVI: Thank you all. Thank you,  
14 Frank, and thank you, Herb.

15 Could I have a motion to approve the agenda?

16 M O T I O N

17 MR. GREY: So moved.

18 MR. KECKLER: Second.

19 CHAIRMAN LEVI: All in favor?

20 (A chorus of ayes.)

21 CHAIRMAN LEVI: And then an approval of the  
22 minutes?

1 M O T I O N

2 PROFESSOR VALENCIA-WEBER: So moved.

3 CHAIRMAN LEVI: Second?

4 MR. GREY: Second.

5 CHAIRMAN LEVI: All in favor?

6 (A chorus of ayes.)

7 CHAIRMAN LEVI: All right. Thank you for  
8 coming. I'm reminded that as we approach our 40th  
9 year, today is actually the 40th anniversary of a very  
10 momentous event, and Allan Tanenbaum in the back there  
11 is sporting a tie that signifies the event. Why don't  
12 you stand up, Allan, so everybody can see it.

13 This is the 40th anniversary of Hank Aaron's  
14 breaking of Babe Ruth's record. Allan will be going  
15 home to Atlanta to help Hank Aaron out on the field  
16 tonight in Atlanta. Seriously.

17 (Applause)

18 CHAIRMAN LEVI: And 40 years, as I've been  
19 saying, is in biblical terms a generation. And one of  
20 the questions I've been asking as I've been going  
21 across the country, and I know Jim has been, too,  
22 talking to bar groups, talking with law firms, is, in a

1 generation, is this what equal justice should look  
2 like? Is this what we want to leave to our following,  
3 hopefully, many generations of Americans?

4           And I think today, when we are at the White  
5 House, we have yet another opportunity to talk about  
6 what's in front of our country, where we've come from,  
7 where we're going, in the world of civil justice.

8           And I want to thank particularly our staff,  
9 who have worked so hard to help yet again put this  
10 conference together. I particularly want to thank  
11 Becky Fertig.

12           (Applause)

13           CHAIRMAN LEVI: The Legal Services Corporation  
14 is about to give birth to many. And Becky is -- how  
15 many months are you now?

16           MS. FERTIG: Five months.

17           CHAIRMAN LEVI: Five months. And so she's  
18 been carrying around us and something else. And we  
19 really appreciate it.

20           Bernie Brady makes all the arrangements.  
21 Katherine is walking around even as we speak. Wendy  
22 Long. All of you -- have I forgotten anybody who's

1 really -- and Patricia, yes. So thank you all for what  
2 you do to put these meetings together.

3           Our coming to town is probably -- I think it's  
4 like a boat owner. They say the happiest days are the  
5 day you get the boat, but the happiest day is the day  
6 that you sell it. So probably the happiest day is when  
7 we leave town. But in any event, we do appreciate your  
8 efforts.

9           This is an important year, and we have to make  
10 this year count for LSC. They all count, but  
11 anniversaries are times when people take a hard look.  
12 It's an opportunity to look inward and outward, and  
13 folks respect that.

14           And so we can't let this one go by. Given  
15 what we know, it's complicated. In the world of equal  
16 justice, there are many organizations, institutions,  
17 schools, law schools, bar groups around the country.

18           And how to pull that all together and  
19 understand what's available to help low-income  
20 Americans and to coordinate it, and then talk about, is  
21 this enough? Is this the best way to go about it? And  
22 of course, change doesn't come easily, and how to

1 rework things to create greater availability.

2 I for one believe that much of that is going  
3 to have to come through tech, that as we've made the  
4 court system more available and more accessible through  
5 lower filing fees and more courts, we have not made  
6 similar arrangements to handle the huge load coming  
7 into the courts, so that the number of pro  
8 ses -- you'll hear me mention this in my talk at the  
9 White House -- but the staggering number of pro ses,  
10 just in California alone last year, 4.3 million in  
11 non-prisoner civil pro ses.

12 So going forward, how we as a country approach  
13 handling that wave of low-income folks and come up with  
14 different ways to handle or help them handle their  
15 legal needs -- there's no possibility -- given what we  
16 saw yesterday in Alan's presentation, there's 900,000  
17 lawyers, 4.3 million pro ses just in  
18 California -- there's no way that we can get a lawyer  
19 to every one of those.

20 So does there need to be a housing court  
21 specialist? Do there need to be help desks in every  
22 courthouse? These are things that bar groups will have

1 to really work on, and we can help lead the discussion.

2 And I'm so proud of our Board and its leadership for,  
3 in a sense, being one of those groups that is leading  
4 the way in prompting that discussion.

5 In fact, I should be frank with you all. We  
6 hadn't planned to have an event today at the White  
7 House. But both they and the bar groups around the  
8 country that are coming for ABA Days were asking, well,  
9 why not? We said, well, we're having a big event in  
10 September. Well, the issue is now. It's pressing. We  
11 want to continue the dialogue. There's much to be  
12 done.

13 So I think that our bar leaders, and I have to  
14 say some of them in this room, through our efforts, we  
15 have helped to shine a light on this and to get the  
16 discussion kicked off. A few years ago Frank's group,  
17 with the Justice Gap, clearly the two Justice Gap  
18 reports that his board produced began a high-level  
19 discussion and a recognition among bar groups that hey,  
20 there's a problem out there.

21 One of the things that Jim and I have been  
22 aware of, and I think you all know this, too, the legal

1 aid community has been great at talking to itself. But  
2 we need to turn the voices outward now, and we have to  
3 do a much better job of bringing in the bar generally  
4 and then beyond the bar -- the business community of  
5 our country, the leaders of our country, so they  
6 understand what's going on.

7           When Martha gave her report the other day  
8 about her trip to Asia, what you heard there was how  
9 people feel if you don't have a solid justice system  
10 that folks believe that they can get a fair shake in,  
11 that their contracts will be fairly arbitrated, their  
12 issues fairly dealt with. It puts a brake on your  
13 ability to grow your economy.

14           So they're all trying to set up what we have.

15       So we need to remind folks -- I think in some ways  
16 it's easy to take it for granted, you know, and we just  
17 can't let people take it for granted any more. We're  
18 at that point where what we do today is going to have a  
19 huge impact even a few years from now.

20           So thank you all. I'll be out on the road a  
21 lot this year. I hope all of you will take the  
22 opportunity to visit the programs in your states, to

1 help spread the word of what the country needs to do  
2 here to support the civil justice system.

3           And thank you to all of our Board members.  
4 Our Board members have been working at this for now  
5 nearly four years, and one of us has recently been  
6 reconfirmed, and none other than Father Pius.

7           (Applause)

8           CHAIRMAN LEVI: And it's my great pleasure to  
9 present to him his new commission.

10           FATHER PIUS: Thank you very much. For my  
11 term ending in June.

12           (Laughter.)

13           CHAIRMAN LEVI: For the term ending in June.  
14 That's right. The rest of us are sitting there and  
15 wait, but we serve until our successors are empaneled,  
16 so I think you're stuck with us for a while. Well,  
17 congratulations, Father Pius. You sailed through. You  
18 should have tucked a few of us under your robes there.

19           FATHER PIUS: All I have to put on my  
20 financial report, financial things are zero, zero,  
21 zero. It makes it a lot easier.

22           CHAIRMAN LEVI: Maybe that explains it.

1    Anyway, thanks so much.  We're thrilled to have at  
2    least one of us in his own term.

3               MR. MADDOX:  I'm pretty sure mine's still down  
4    at the IRS.

5               (Laughter.)

6               CHAIRMAN LEVI:  Dr. Sandman?

7               PRESIDENT SANDMAN:  Thank you, John.  Good  
8    morning.  I'd like to report this morning on four  
9    internal items:  first, some steps that we're taking to  
10   measure how effective we are in reaching the different  
11   constituencies that we're trying to communicate with;  
12   second, to provide an update on the business process  
13   analysis we're going through with regard to our  
14   grantmaking and grant oversight functions.

15              Next, to give you a little demonstration of  
16   something that we're doing to institutionalize  
17   management processes.  This is a matter of risk  
18   management and transition planning.  Next, I'll update  
19   you on the compensation study we're doing with respect  
20   to all of our staff.  And finally, I'd like to spend  
21   the bulk of my time reporting on the results of our  
22   grantee activity reports, which we recently received

1 for year 2013. The first four items are internal  
2 matters. I'll report on them briefly.

3 As we discussed at the January Board meeting  
4 when I was reporting on our success in meeting our  
5 strategic plan goals, in communicating outward we need  
6 to be trying to assess how effective we are. Are  
7 people hearing our message?

8 And one thing that we want to do is a better  
9 job of tracking use of our website, particularly who is  
10 coming to it and what are they viewing. And we need  
11 good data to track whether we're accomplishing the  
12 objectives of our strategic plan goal number 2, which  
13 is to be a leading voice for access to justice in the  
14 United States.

15 We have the capability now to track the  
16 network domains that visitors are coming from. So, for  
17 example, we can track usage from senate.gov and  
18 house.gov, our funders, our critically important  
19 constituents, and stakeholders in our work. Are they  
20 using our website?

21 We can track the number of visitors coming  
22 from .org sites. And similarly, we'll try to refine

1 this. These are basic capabilities of Google  
2 Analytics. There's not rocket science about it, but I  
3 don't think that we have made sufficient use of these  
4 tools in the past to see what we can learn from the  
5 identity of the people who are coming to our website.  
6 We are not tracking individual users. This is LSC, not  
7 the NSA.

8           We can track the geographic locations of our  
9 visitors. We can see what the distribution  
10 geographically across the country of the users of our  
11 website is. And we can track how visitors interact  
12 with our website.

13           Another constituency we need to be concerned  
14 about, obviously, is our grantees. We have a lot of  
15 information on our website about best practices,  
16 information that's intended for our grantees to access  
17 so that we can share information across them. And one  
18 of the things we're trying to do with Google Analytics  
19 is to see how effective we are in doing that, with the  
20 ultimate goal of seeing if our messages are getting to  
21 the intended audiences.

22           FATHER PIUS: On that, too, Jim, you should be

1 able to track if they're jumping from your site to  
2 other sites. It would be interesting to track to see  
3 if they're going to the websites of some of our  
4 grantees, whether it is really a portal for them to go  
5 trying to find services.

6 PRESIDENT SANDMAN: Well, we know and have  
7 known for some time that far and away the most popular  
8 feature on our website is the Find Legal Aid function.

9 And that was intentional on our part. When people are  
10 searching for legal aid, the terms that they put in  
11 initially might not direct them to their local legal  
12 services provider.

13 If you put in basic search terms for legal  
14 aid, the Legal Services Corporation is going to pop up  
15 pretty high in priority. If you go there, you will see  
16 right there on the home page, very visibly, the Find  
17 Legal Aid tab.

18 We recently overhauled that to make it much  
19 more user-friendly. It's now much more like the Find a  
20 Store feature of a retailer on a website, where you can  
21 put in your zip code and it will tell you who the local  
22 LSC grantee is.

1           Next, as I've reported previously, we are  
2 working with a consulting firm to do a comprehensive  
3 business process analysis of all the processes involved  
4 in our grantmaking, our reviewing and approving of  
5 grant applications, and our grants oversight.

6           At the Austin meeting in January, Diana White  
7 reported on a business process analysis that her  
8 program, LAF of Chicago, has been doing. We're doing  
9 something similar for LSC itself. And in this process,  
10 we've had broad participation from the staffs of the  
11 Office of Program Performance, Compliance and  
12 Enforcement, Information Management, Information  
13 Technology, and the Inspector General.

14           And I think the convening of these groups to  
15 talk about how they do what they do and to map it has  
16 itself been very useful, and eye-opening for some.  
17 People have been surprised to learn how many different  
18 ways some people perform the same task, and have come  
19 to recognize the potential efficiencies in  
20 standardizing and streamlining internal processes.

21           Our consultants expect to issue a report in  
22 early June. Not only will they have mapped our

1 processes, but they will have analyzed them and be  
2 making recommendations for process improvements. And  
3 all of their work is intended to guide our decision  
4 about potentially investing in a new grants management  
5 system, new grants management software.

6           The theory here is that you make the  
7 technology decision after you've improved your  
8 processes, not before. If you simply impose technology  
9 on bad processes, you tend to freeze them in place,  
10 whereas we want to use technology to enhance good  
11 practices.

12           Next, we have a new online tool. I have a  
13 hard copy illustration of it. And what you see on the  
14 screen is simply a shot of a portion of it. But we  
15 have created a project management calendar which tracks  
16 all regularly occurring tasks and obligations that  
17 arise during the course of a year at LSC. It's  
18 organized by month and by office.

19           And I'll pass this around. But what it  
20 captures is everything from tax filings to our grant  
21 application process to the filing of Freedom of  
22 Information Act reports with the Department of Justice.

1 And if you mouse over any box in that chart, it will  
2 open up and explain exactly what the task is and  
3 precisely what the deadline is.

4 But this captures in one place everything  
5 critical that we do on a recurring basis, and it's  
6 useful for a variety of reasons. First and foremost,  
7 it's a risk management tool. It helps us keep track of  
8 things and make sure that we don't miss deadlines.

9 Second, within each department it can be a  
10 project management tool so that every staff person  
11 within that department know what their recurring  
12 obligations are, what's expected when. In addition,  
13 this is something that will be available to all LSC  
14 employees, so it gives every one a view of what's going  
15 on organization-wide, not just within their own office.

16 And finally, it's a great way of capturing  
17 institutional knowledge and facilitating transitions in  
18 leadership at LSC. I had no such tool when I came to  
19 work here as President. I wish I had. I wish I'd had  
20 the comfort of knowing that in one place, I could see  
21 the full range of activities that we engage in. I  
22 would have wanted to follow up and learn more about

1    them, as opposed to just looking at them on this tool.

2    But it would have been a great starting point.

3                This is the kind of thing we're doing -- I  
4    offer this just as an illustration -- to systematize  
5    and document our internal processes.  And that, I  
6    think, will make us a much healthier and robust  
7    organization and much less vulnerable to disruption in  
8    transition.

9                As I mentioned yesterday and as you can see on  
10   the wall outside this room, LSC has had 25 presidents  
11   in 39 years.  That is not a formula for stable,  
12   consistent management.  And I think one of the ways  
13   that we can improve going forward is to use tools like  
14   this to be sure that good processes are created and  
15   documented.

16               And finally, as you know, we have contracted  
17   with a consultant to do a compensation study to guide  
18   us in setting compensation for our staff here and in  
19   our negotiations with our union.  Our consultant has  
20   reviewed all of our position descriptions and has had  
21   eight meetings with office directors and union  
22   representatives to discuss those descriptions so

1 they're sure they understand the positions that we have  
2 and can do an appropriate job of comparing them to  
3 other positions in other organizations. They expect to  
4 issue a preliminary report within several weeks and to  
5 be making recommendations to us by early summer.

6 I'd now like to report on what our grantees  
7 were up to in 2013.

8 We saw a decline in cases closed last year.  
9 In percentage terms, that's pretty significant, as you  
10 can see. We had 759,000 cases closed in 2013 compared  
11 to 810,000 in 2012, 900,000 in 2011. This is really  
12 not surprising because of the decline in funding that  
13 we've seen over the past few years.

14 And if you look at this slide, which I'll  
15 explain, this is an attempt to correlate cases closed  
16 with funding, and it correlates it both with LSC  
17 funding and with non-LSC funding.

18 It's a little difficult to scale this; it's  
19 just a lucky coincidence that the numbers on the left  
20 scale happen to work both for dollars in funding,  
21 millions of dollars in funding, and thousands of cases  
22 closed. That's just a coincidence, but it makes it

1 much easier to visualize what the connection is between  
2 cases closed and funding.

3           And as you can see, overall funding and LSC  
4 funding have declined for our grantees since 2010  
5 fairly significantly, and there's been a correlative  
6 reduction in cases closed over those years.

7           I'll provide more detail about other funding  
8 in a minute, but I think this is something that we want  
9 to do further analysis of to see what lessons we might  
10 be able to draw from this. And this is a useful tool  
11 in thinking about what our budget request should be for  
12 Congress.

13           Any questions about this? Yes?

14           MS. MIKVA: Cases closed, is that just LSC  
15 cases?

16           PRESIDENT SANDMAN: This is LSC cases closed.  
17 That's a very important point. It's the cases that  
18 they report to us as cases closed. So if, for example,  
19 as was mentioned yesterday, a grantee is doing mortgage  
20 foreclosure work pursuant to a grant they've received  
21 from a state attorney general that permits them to  
22 serve people over our income eligibility guideline,

1 their work for that client is not going to be reported  
2 to us as a case closed because it doesn't meet LSC  
3 criteria. So this is a subset of the total cases  
4 closed that our grantees are handling.

5 Yes?

6 MR. MADDOX: Jim, I'm not sure I understand  
7 the funding. In 2013, the LSC funding would be what  
8 for that year?

9 PRESIDENT SANDMAN: You can't see the dollar  
10 amount there. It's done in percentage terms. But  
11 LSC --

12 MR. MADDOX: Thirty-eight percent of \$885  
13 million?

14 PRESIDENT SANDMAN: Correct. yes. I have the  
15 absolute numbers on a subsequent graph.

16 Yes?

17 MS. REISKIN: Is this only full cases, not  
18 like the advice or the court help? This is just --

19 PRESIDENT SANDMAN: A very important point.  
20 It's everything, and I have a slide that breaks that  
21 out in a minute or two.

22 MS. REISKIN: Oh, okay.

1           PRESIDENT SANDMAN: You anticipated one of my  
2 points.

3           We're looking very carefully at pro bono cases  
4 closed because of our emphasis on increasing pro bono  
5 involvement as a result of the work of the Pro Bono  
6 Task Force. And we did see a slight decline in pro  
7 bono cases closed last year compared to the prior year,  
8 although it's pretty much in the same range.

9           In a way, this isn't surprising because, as  
10 we've heard many programs explain, you need  
11 infrastructure to be able to manage volunteers. If you  
12 reduce the funding for the organization, it can be very  
13 difficult for them to devote the internal resources  
14 necessary to recruit and manage and transaction pro  
15 bono lawyers.

16           The good news here is this slide. The  
17 percentage of total cases closed being handled by pro  
18 bono lawyers is continuing to go up. And I think this  
19 in a way corrects for the reduction in funding and  
20 shows that, as a percentage of their total work,  
21 grantees are successfully using pro bono lawyers to do  
22 more.

1           Yes, Sharon?

2           MS. BROWNE: Yes. On the cases closed for pro  
3 bono, we know that they can have limited legal services  
4 or unbundling of the services being provided. So how  
5 is the cases closed being defined?

6           PRESIDENT SANDMAN: In the same way that a  
7 grantee case closed is defined. It has to be opened as  
8 a case, so if, for example, what the pro bono lawyer is  
9 doing is simply providing information at clinic -- this  
10 came up in the course of the Ops & Regs Committee  
11 meeting yesterday -- that's not going to show up as a  
12 case closed. This is some form of service to a client,  
13 some form of legal assistance to a client, not  
14 community education or the provision of information.

15          MS. BROWNE: And so just to make sure I  
16 understand, if a pro bono attorney does a guardian ad  
17 litem petition and has that portion of a case -- it's a  
18 family law matter and he's representing the child -- is  
19 that counted separately from, say, the grantee's work  
20 on a case so that there could be two cases closed if  
21 they resolve it at the same time?

22          PRESIDENT SANDMAN: I don't think so. I don't

1 think they can double-count and include something both  
2 as a staff case -- no. They can't count something as  
3 both a staff case closed and as a pro bono attorney  
4 case closed.

5           But you're getting at an important point.  
6 When you think about what a case is, a case includes a  
7 lot more than what a litigator in private practice  
8 would consider a case to be. It can be brief advice,  
9 brief legal advice rendered to a client in the course  
10 of a Saturday morning clinic, as well as litigating a  
11 case from beginning to end. And we have statistics,  
12 which I'll present in a minute, about what the level of  
13 service provided to clients is during the course of the  
14 year.

15           These pie graphs show the mix of subject  
16 matter areas for cases closed. And what they all show  
17 is a fair amount of consistency in the case mix over  
18 time. If you were to go back five years, five years  
19 before the first year shown here, 2010, you wouldn't  
20 see much difference.

21           So year in and year out, the largest category  
22 of case type is family law cases, 33 percent last year.

1 That's down a little bit from prior years; it usually  
2 comes in around 35 percent. The next largest category  
3 is housing, 27 percent, which was up a percentage point  
4 last year; income maintenance cases, 12 percent,  
5 consumer 11 percent, and all others, 17 percent. But  
6 there's a fair amount of stability.

7 Now, if you look across our grantees one by  
8 one, you will see a fair amount of variation because  
9 they have different local needs assessments and  
10 priorities. These are averages, and you need to be  
11 careful about assuming that every individual grantee's  
12 case mix breaks down the way these pie charts show.

13 This illustrates what I was just talking  
14 about, reasons for case closure. This gives the level  
15 of service that's been provided. And if you can't see  
16 it in the back, I'll just read the categories: counsel  
17 and advice, limited action, settlement without  
18 litigation, settlement with litigation, agency  
19 decision, court decision/ uncontested, court  
20 decision/contested, court decision appeals, extensive  
21 services, and other closure method.

22 The important thing to bear in mind here is

1 the size of the blue portion of the pie, counsel and  
2 advice, 60.4 percent of cases closed last year. The  
3 next largest portion, the maroon portion, is 16.1  
4 percent. So 76-1/2 percent of all cases closed last  
5 year were closed with either counsel and advice or  
6 limited action, not soup to nuts case service.

7           And there are a number of things to think  
8 about because of that phenomenon. For example, in  
9 connection with our Public Welfare Foundation project,  
10 measuring outcomes, how do you measure the outcome of  
11 counsel and advice or limited service?

12           Say you spend an hour with a client on a  
13 Saturday morning at a clinic. Keeping track of the  
14 client, following up with the client, can be very  
15 difficult. Getting information back. Then if you do  
16 get the information back about what happened, how do  
17 you measure cause and effect? How do you know that the  
18 result that was achieved was the result of what you  
19 did?

20           There are a variety of ways to get at these  
21 things, and some of our grantees do a good job of  
22 surveying all of their clients, whatever the level of

1 service they've received. But I hear regularly about a  
2 number of challenges in doing that.

3           As I mentioned, just locating the client  
4 sometimes -- people in poverty often have to move  
5 frequently. Our grantee in Detroit has a process by  
6 which, when they do intake, they ask every client or  
7 prospective client to provide information about another  
8 person who will be able to locate them in the event  
9 that they need to do followup, so that they've got a  
10 second point of contact in case the current contact  
11 information that they client provides turns out to  
12 change. But this is the reality of what the level of  
13 service delivery is in legal aid programs across the  
14 country today.

15           This graph provides more detail -- yes?

16           MS. REISKIN: When you say agency decision,  
17 that's an administrative law judge case? Is that what  
18 that means?

19           PRESIDENT SANDMAN: It's an administrative  
20 agency decision. It may be --

21           MS. REISKIN: Where it doesn't go to like a  
22 real court?

1           PRESIDENT SANDMAN:   Yes.   Correct.

2           This graph provides more information about  
3 funding and funding sources, and it shows that our  
4 grantee funding last year was \$348.8 million. They got  
5 \$542.4 million from other sources. The percentage of  
6 LSC funding going to our grantees has continued to  
7 trend downward. That 38.7 percent compares to 43.6  
8 percent in 2010.

9           It's important to bear in mind that the  
10 different shades of blue on this graph are not fungible  
11 dollars. And I think this is important for us to keep  
12 in mind when we're preparing budget requests to  
13 Congress and looking at all of the resources available  
14 to our grantees.

15           A lot of the money that shows up in the light  
16 blue portion of each bar is special purpose funding. A  
17 lot of it has restrictions on the percentage of the  
18 funding that can be used for management and  
19 administrative expenses. A lot of it involves very  
20 burdensome and unique reporting requirements. And that  
21 percentage of funding was up to 61.3 percent last year.

22           We further break down the sources of that

1 other funding, and this stacked graph shows some trends  
2 over recent years. I want to point out a few.

3 The top bar, the maroon, is carryover funding.  
4 That's non-LSC carryover funding. The next slice of  
5 the bar is other funding; that includes attorneys'  
6 fees, cy prè's awards, and miscellaneous.

7 We have seen an increase in attorney fee  
8 awards revenue over the last few years. You'll recall  
9 that 2009, I believe it was, Congress lifted the  
10 restriction on attorneys' fees for LSC grantees, and  
11 that number has slowly been increasing over time.

12 So in 2010, grantees total reported \$440,000  
13 in attorneys' fees. It went up to \$1.8 million in  
14 2011, \$2.4 million in 2012, \$2.9 million in 2013. So  
15 that's a 565 percent increase since 2010, but it's  
16 still a relatively small number.

17 What's outstripping that is cy prè's awards.  
18 Last year cy prè's awards totaled \$8.2 million compared  
19 to 2.9 for attorneys' fees. Cy prè's awards have for  
20 some of our grantees been very significant and  
21 unexpected sources of revenue.

22 The problem is, they're unexpected. It's very

1 difficult to budget for a cy près award because so much  
2 depends on the availability of funds from, say, a class  
3 action settlement and a decision by the parties and the  
4 judge that the leftover amount is going to be awarded  
5 to a legal aid organization.

6           You can see next on the grant in the purple  
7 portion of the bar private funding, and that number is  
8 ticking up, \$68.4 million last year compared to 60.9  
9 the year before and 45.2 in 2011. We'll have to scrub  
10 the numbers a little more to see where that is  
11 occurring and to see if we can track what the sources  
12 of the private funding are, but that should be a good  
13 development.

14           Local funding, the orange slice, declined a  
15 little bit last year. Filing fees are holding about  
16 steady, \$38.9 million in 2013 compared to 39.1 in 2012.

17           You can see, with the darkest green bar, the  
18 continuing erosion of IOLTA funding, down to about \$50  
19 million last year. It was at 111.8 in 2008. I think  
20 if you went back to 2007, you would find that it was  
21 even higher than it was in 2008, but I would need to  
22 doublecheck that.

1           What you do see as a positive development  
2   offsetting that in many places is an increase in  
3   state-level funding. That's the second from the bottom  
4   bar, up to \$169.6 million last year. I know that that  
5   number would include funding made available by some  
6   states' attorney generals as a result of the mortgage  
7   foreclosure settlement to legal aid programs.

8           So again here you need to be careful about  
9   assuming that state-level funding is fungible with LSC  
10   funding, that grantees can use it for the full breadth  
11   of purposes that they can use LSC funding for.

12           It's also important to bear in mind that the  
13   state-level funding across the country varies widely.  
14   This is aggregate information, but you'll see a very  
15   different story if you look state by state about what  
16   level of state funding is being provided to our  
17   grantees.

18           CHAIRMAN LEVI: So the mortgage settlement  
19   money is in the state number?

20           PRESIDENT SANDMAN: Yes.

21           CHAIRMAN LEVI: So that's not a continuing  
22   source?

1           PRESIDENT SANDMAN: Another very important  
2 point. That has a limited life to it, so it isn't  
3 something -- so even though you see a trend of increase  
4 here, that may be a temporary phenomenon. And when  
5 that expires, you may see a fallback in the level of  
6 state-level funding.

7           Yes?

8           MS. REISKIN: Would results from fundraisers  
9 and just donations be under other or private?

10          PRESIDENT SANDMAN: Private.

11          And the bottom bar is federal non-LSC funding.  
12 That's holding about in the same general vicinity,  
13 down last year from 2012 but up considerably from 2009.

14          We look regulatory at the percentage of  
15 funding that our grantees receive from LSC. And what  
16 this bar graph does is it breaks down the number of  
17 programs getting different levels of funding from LSC.

18          And you can see here that we've got a big  
19 chunk of our grantees that are getting less than 40  
20 percent of their funding from LSC. You've got 45 of  
21 134 grantees that are getting less than 30 percent of  
22 their funding from LSC.

1           But you do have a not insignificant number of  
2 programs still up at the high end of the scale. You've  
3 got 42 programs getting more than 50 percent of their  
4 funding from LSC. This reflects, in significant part,  
5 disparities in state-level funding across the United  
6 States, and what it illustrates is how LSC continues to  
7 be the backbone of legal aid funding across the United  
8 States, providing some baseline of support everywhere.

9           I think it also is a reminder about the nature  
10 of our relationship with our grantees. What we can  
11 reasonably expect of a grantee that's getting less than  
12 20 percent of its funding from us is a little bit  
13 different from what we might reasonably expect of a  
14 grantee getting more than 75 percent of its funding  
15 from us.

16           At the same time, I don't think Congress has  
17 any different expectation about what our oversight  
18 should be for a dollar of taxpayer money going to a  
19 grantee depending on what other sources of funding they  
20 get. I think they expect us to have the same level of  
21 prudence across the board.

22           So balancing those two things is important,

1 but it does say something about what I might describe  
2 as discretionary oversight. For example, there might  
3 be things that we could ask of our grantees because  
4 they're nice to know but that we don't need to know  
5 them. And I think we need to be careful about imposing  
6 burdens on our grantees simply out of curiosity when  
7 what we're asking for is not necessary to prudent  
8 oversight of public money.

9 MS. BROWNE: Jim, just on that last graph,  
10 there's one grantee who gets a very small percentage of  
11 their funding from LSC. Do you off the top of your  
12 head know which grantee that is? And it's just  
13 curiosity.

14 PRESIDENT SANDMAN: You know, I knew I'd be  
15 asked that, I guessed that you'd ask it, and I don't  
16 know.

17 (Laughter.)

18 PRESIDENT SANDMAN: I didn't have time to look  
19 it up.

20 And finally, this graph charts staffing across  
21 our grantees. This is full-time equivalent employees,  
22 so it adjusts for part-time people and gives us a

1 consistent measure across years. And it shows a  
2 continuing decline in all categories, attorneys,  
3 paralegals, and other staff. The last set of bars on  
4 the right is total staff. And that shows a decline of  
5 about 900 people between 2011 and 2013, about 900  
6 total.

7 That concludes my report. I'd be happy to  
8 answer questions.

9 CHAIRMAN LEVI: I just wanted to make a  
10 comment, that in the area of oversight, I think that  
11 plenty of folks give to our grantees knowing that we're  
12 conducting the oversight because they are not. And how  
13 that figures in I'm not sure, but to your point, we  
14 need to make sure the oversight, as far as I'm  
15 concerned, is the same across all of the grantees  
16 because I think that's, in a way, what the public  
17 expects.

18 FATHER PIUS: On the business process  
19 analysis, I noticed in the report to the Finance  
20 Committee that we allocated \$25,000 because our  
21 expectations of the costs of that were a bit low. I  
22 was going to ask David, but I'm just going to wade

1 through this, why the estimate was \$25,000 off?

2           PRESIDENT SANDMAN: We budgeted for it  
3 originally before we had the contract in place and knew  
4 the full scope of what they were going to be doing.  
5 It's the difference between guessing about what it  
6 might cost and what the contract --

7           FATHER PIUS: And we're confident that this is  
8 a firm number now?

9           PRESIDENT SANDMAN: Yes. Now, with one  
10 qualification -- I think this firm is doing a  
11 spectacular job, and I think that the work that they're  
12 doing has many lessons for us, and that we should  
13 definitely consider expanding the scope of the business  
14 process analysis that we're undertaking. So we might  
15 do more, but it would be a different contract.

16           MR. MADDOX: Jim, a couple of questions. One,  
17 on this percentage of funding business, I was just  
18 looking at the factbook for 2012. And the highest  
19 percentage that our factbook lists for non-LSC  
20 percentage funding is 85 percent. Your chart suggested  
21 that there were several, I think, with significantly  
22 less than that, at least one which was getting less

1 than 10 percent. Are these 2013 numbers?

2 PRESIDENT SANDMAN: Yes. These are 2013  
3 numbers, yes.

4 MR. MADDOX: Okay. And then the other  
5 question is, on this chart that you sent around with  
6 various offices and whatnot, OCE is not listed. Did I  
7 miss that? I looked at it a couple times and I didn't  
8 see OCE.

9 MR. FLAGG: Let me address this. This is  
10 really a first draft that -- this is how we intend to  
11 monitor and track these projects. And we're going back  
12 to each office now and saying, this is the tool we'd  
13 like to use.

14 We're working with our IT department to  
15 actually come up with a more elegant version than  
16 what's depicted here, and at the same time we're going  
17 to each department and saying, what annual events or  
18 recurring events should be tracked on this?

19 So this is really just giving you an idea of  
20 the concept and how in general it will be executed.  
21 But that's not literally the tool we're going to use  
22 going forward.

1           PRESIDENT SANDMAN:    OCE will be on the final.

2           MR. MADDOX:    Oh, good.

3           (Laughter.)

4           MR. MADDOX:    Sharon, just to go back to that,  
5 the 85 percent in 2012 was Hawaii, and the closest  
6 runner-up was Maryland at 84 percent.

7           PRESIDENT SANDMAN:   That's dependence  
8 on -- that's non-LSC funding.

9           MR. MADDOX:    Right.

10          PRESIDENT SANDMAN:   Right.  Yes.

11          FATHER PIUS:   Was that just an Excel  
12 spreadsheet or is there a specific program that allows  
13 you to do this?  That's an idle question, but -- it is  
14 just an Excel spreadsheet?  How interesting.

15          MR. FLAGG:    Yes.  Again, this was in Excel.  
16 But Peter Campbell, who actually knows what the best  
17 tools for this will be, tells us that there are better  
18 tools than Excel for this exercise.  So again, we're  
19 sort of going forward on two tracks.  One is to flesh  
20 out what recurring events we should be tracking, and  
21 two, coming up with the best tool to do that tracking.

22          PRESIDENT SANDMAN:   Peter was actually

1 appalled at the thought that Excel might be the  
2 vehicle.

3 (Laughter.)

4 PRESIDENT SANDMAN: Yes, Charles?

5 MR. KECKLER: Jim, thanks for the report. So  
6 I know that this is a subject of ongoing study, as you  
7 pointed out, about the decline in cases closed between  
8 2012 and 2013. But I've been trying to work out the  
9 percentage. Is it 6 percent, 7 percent down, something  
10 like that?

11 So I was waiting in the report to see  
12 something that would explain it easily. But our  
13 funding is more or less flat between those years.

14 FATHER PIUS: There does seem to be a drop.

15 PRESIDENT SANDMAN: No. It dropped.

16 MR. KECKLER: And it looks like the number of  
17 attorneys was about -- the support staff had gone down,  
18 but the number of attorneys looked about the same. So  
19 am I reading --

20 FATHER PIUS: There does seem to be a delay  
21 between the funding drop and the --

22 PRESIDENT SANDMAN: Yes. Cases closed can be

1 a lagging indicator.

2 MR. KECKLER: Right. So I'm looking at the  
3 funding there and it's not 6 percent different.

4 PRESIDENT SANDMAN: That's right.

5 MR. KECKLER: And the attorneys, number of  
6 attorneys, is flat. So I'm just curious what the  
7 working hypothesis is for -- and then I was seeing if  
8 the change in mix of cases -- but extended services  
9 didn't really change that much.

10 PRESIDENT SANDMAN: They went up a little bit,  
11 but when we look at the percentage --

12 MR. KECKLER: A little bit, but not that much.

13 So it seemed like the mix of cases in terms of time  
14 allocation was similar. The number of attorneys was  
15 similar. Funding was similar. But there's fewer  
16 cases. So I understand the lagging indicator, but is  
17 that the working hypothesis or what do we have?

18 PRESIDENT SANDMAN: We need to do more  
19 analysis before we -- that's a very good point. But  
20 the numbers are -- these came in only a few weeks ago.

21 But that's exactly the kind of analysis that we try to  
22 do. It's always going to be to some extent -- I don't

1 want to say speculating, but going to be hard to  
2 determine cause and effect.

3           What can sometimes help is to pick out a few  
4 programs where something seems a little off, and follow  
5 up and have a conversation with them. Conversations  
6 with individual grantees about their circumstances can  
7 be very enlightening to explain phenomena like this.  
8 But I don't have an answer to that question right now.

9           MR. KECKLER: Right. And I didn't mean to put  
10 you on the spot since the numbers came in. But I think  
11 another interesting thing would be whether the 6  
12 percent decline was general over all the grantees or  
13 whether we find a big variation that's maybe not  
14 related to differences in funding.

15           There are going to be programs that did better  
16 or worse funding-wise, but I think if that's not what's  
17 explaining it and there's still a significant variation  
18 among the grantees, then I'm less inclined to accept  
19 the lagging indicator issue. I think there's something  
20 else.

21           PRESIDENT SANDMAN: That's exactly the kind of  
22 analysis that Lynn Jennings' office is doing. We went

1 through that analysis last summer when we got midyear  
2 reports, and we focused on the grantees that had the  
3 biggest declines in cases closed between the first half  
4 of 2012 and the first half of 2013. We followed up  
5 with all of them and got explanations. And  
6 particularly in connection with the preparation of the  
7 factbook, we'll be doing much more analysis of these  
8 numbers.

9 MS. REISKIN: Do you want to and are you going  
10 to be able to analyze it more based on type of case and  
11 looking at the relationship with restricted funding,  
12 for example? I know that there's a lot of restricted  
13 funding out there for family.

14 And I've always been kind of curious as to how  
15 much that's really driving versus the priority-setting  
16 that's supposed to be done on a community level by  
17 clients. Do you have a way to drill down on any of  
18 that?

19 PRESIDENT SANDMAN: I don't think we do. I  
20 don't think we have a way to correlate the funding  
21 source with the particular case closed.

22 MR. GREY: A couple of observations. One is,

1 it's almost too much information and that's because you  
2 end up starting to really start to try to figure out  
3 the nuance in the numbers.

4           After a while they become so precise in terms  
5 of what you've been able to identify and collect, which  
6 I think obviously makes the process of allocation of  
7 resources and decisions about where you look for new  
8 ideas or new ways to improve service delivery  
9 important.

10           But one of the things that I think you sense  
11 from this is that drops -- let me back up. We've seen  
12 a decrease in personnel overall in LSC offices. And  
13 when you look at the responsibility of attorneys versus  
14 paralegals versus staff versus other staff, and then  
15 you look at the case mix, and you see that 76 percent  
16 of that group is advice and counsel, then you start to  
17 weight the impact of that.

18           It would tend to support that the higher  
19 decline is the result of the greatest impact of loss of  
20 staff. In other words, those who are not lawyers are  
21 likely to be at the higher end of that advice and  
22 counsel than they are at the resolution in court and

1 agency cases.

2           But this is so revealing, and it is something  
3 that we never could get our arms around or our head  
4 around. And it still seems a little bit elusive; it's  
5 still a little bit like Jello when you start to try to  
6 pin it down. But it feels a lot more comfortable that  
7 we have some ideas about where to look and how to  
8 resolve it.

9           But I just want to commend the staff. I want  
10 to commend you, Jim, on not just the level of detail,  
11 the professional way in which this is presented. My  
12 sense is, going to speak to any official on the Hill or  
13 any agency, looking at what we do gives us a lot more  
14 confidence about what we're saying.

15           And let me tell you something. As a Board  
16 member, that is a lot more reassuring than the "let's  
17 take a stab at this" kind of thing, or a shot in the  
18 dark. So congratulations, and it seems that every time  
19 we talk to you you've got a new tool. At some point I  
20 want you to stop with the tools.

21           (Laughter.)

22           MR. GREY: No, I'm just kidding. But it's

1 exciting and it's refreshing, and thank you.

2 CHAIRMAN LEVI: Vic?

3 MR. MADDOX: Jim, going back to those tools,  
4 the one that's going to be revised --

5 PRESIDENT SANDMAN: Yes.

6 MR. MADDOX: -- will you let us know when that  
7 happens or send it around?

8 PRESIDENT SANDMAN: Sure.

9 MR. MADDOX: And is that something that we'll  
10 be able to access on the website or elsewhere once it's  
11 in place? Or is that a confidential document that  
12 needs password protection and whatnot?

13 CHAIRMAN LEVI: Well, is there way the Board  
14 can get into the --

15 PRESIDENT SANDMAN: We had intended this as an  
16 internal tool. But this is FOIA-able. If someone asks  
17 for this -- there's no reason why this needs to be  
18 confidential.

19 MR. FLAGG: Yes. The Board should be able to  
20 access it once, again, the --

21 MR. MADDOX: Yes. I won't send a FOIA  
22 request.

1 (Laughter.)

2 MR. MADDOX: But if you could just let us see  
3 the updated version, that might be helpful, or maybe at  
4 the next meeting.

5 PRESIDENT SANDMAN: Yes.

6 MR. MADDOX: Thank you.

7 CHAIRMAN LEVI: I think that report was so  
8 compelling, I think you should figure out how we can  
9 throw a few of those slides this afternoon up on  
10 the -- before you start your panel.

11 PRESIDENT SANDMAN: If you're looking to panic  
12 Becky, I can't think of a better way to do it.

13 (Laughter.)

14 CHAIRMAN LEVI: That's okay. But we can do  
15 it.

16 PROFESSOR VALENCIA-WEBER: I appreciate the  
17 picture that Jim has given us. And some time, as we  
18 get not only the information but perhaps dig more into  
19 it, I am concerned that our ability to provide full  
20 service for a client, what Jim called soup to nuts,  
21 which are really needed in some cases, has clearly  
22 declined.

1           And I know there are those cases in probably  
2 every one of our grantee areas where we used to be able  
3 to do them but we can't. But let's talk about that,  
4 think about it.

5           CHAIRMAN LEVI: Any other questions?

6           (No response.)

7           CHAIRMAN LEVI: Thank you, Jim.

8           Mr. Inspector General? Oh, I'm sorry.

9 Members?

10          (No response.)

11          CHAIRMAN LEVI: We had a really robust  
12 members' presentation with Martha, and I think that  
13 tradition is so good that we're going to have to have  
14 some saxophone playing one of these --

15          (Laughter.)

16          CHAIRMAN LEVI: Mr. Inspector General? I  
17 should say Gloria gave quite a member's report, too,  
18 and thank you.

19          MR. SCHANZ: Thank you, Mr. Chairman. For the  
20 record, this is Jeffrey Schanz, the Inspector General  
21 of the Legal Services Corporation.

22          I gave a fairly robust report to the Audit

1 Committee that could be reported out. But for me  
2 talking directly to the Board, I want you to be aware  
3 that our semiannual reporting period for the report to  
4 Congress expired March 31st.

5           So we will be reporting on our activities for  
6 that six-month period, and of course, that requires  
7 Board action to put a forwarding memo to the Hill,  
8 which I mentioned earlier and I'm sure that's being  
9 scheduled.

10           I did want to talk a little bit -- well, I can  
11 give you a personal story when I did quite a bit of pro  
12 bono for Legal Services of Northern Virginia, while I  
13 worked with the Department of Justice. And I was  
14 thinking about it during that discussion. But I would  
15 say fully 75 percent of my time was spent on advice and  
16 counsel.

17           And not to minimize that; those clients that I  
18 represented just with advice and counsel, it was like a  
19 bright light came on over them. And I took it a step  
20 further because I believe in the mission of equal  
21 justice for all. I would follow up with them.

22           I was only there for a set period of time,

1 usually in the afternoons, and then I would allow them  
2 to call back to Northern Virginia, and I would then  
3 respond if I needed to research the issue a little bit  
4 further. I would respond to them with advice and  
5 counsel.

6 And at that point, I felt less like an  
7 attorney and more like a social worker because they  
8 needed information and I could provide that to them.  
9 And as we talk about the soup to nuts, the end of that  
10 process is equally as important because they get  
11 information to know what to do.

12 And we've talked about it before post-Katrina  
13 and with Sandy. Some people don't even know how to  
14 fill out a form. So if you could lead somebody in that  
15 transaction, that's, I felt, very beneficial that I was  
16 able to help some clients.

17 Following up on the Chairman's push for  
18 institutional advancement, I want to tell you a couple  
19 things that I've been doing with my George Mason  
20 University Law School. They have an organization  
21 called the American Constitution Society Association  
22 for Pro Bono Interest Law and Virginia Bar Association

1 Pro Bono Society.

2 I attend every event they have and talk to  
3 people about my experiences with pro bono and try to  
4 get them interested in doing the same thing. Of  
5 course, being the IG of the LSC doesn't hurt my  
6 credibility. I say, well, that was my launching pad.  
7 So anyway, I do that. It's a tremendous reception  
8 there, and that didn't exist when I went to school  
9 there numerous decades ago.

10 But this is not the reason for it -- and I'm a  
11 member of the Alexandria Bar, not the Arlington Bar.  
12 But here's the Arlington Bar Foundation's general  
13 goals: assistance and support of pro bono legal  
14 services to the poor, A, number one. Improvement of  
15 the legal process, goal number two. Goal number three,  
16 greater accessibility of the legal process to the  
17 general public. And that's what we talk about all the  
18 time. And this is a grassroots local bar association  
19 that has pretty much paralleled what we talk about  
20 quite frequently.

21 So I do that, and I do that because I gain.  
22 That's what I do it for. I don't do it so I can report

1 to the Board. I do it because I like doing it. And I  
2 think maybe that's the grassroots efforts that you talk  
3 about, John, so eloquently.

4 That's all I have on open session. If there's  
5 any questions?

6 CHAIRMAN LEVI: I much appreciate your efforts  
7 and your own commitment, Jeff.

8 Questions?

9 (No response.)

10 CHAIRMAN LEVI: Now, do you want to present or  
11 should we have a resolution? Dutch is not here, is he?

12 MR. SCHANZ: No, he is not. When he retired,  
13 he fully retired.

14 (Laughter.)

15 CHAIRMAN LEVI: Do we blame him? I should say  
16 that it's been a pleasure for our Board to get to know  
17 Dutch, to work with him. He's been here through our  
18 entire tenure. I think he came early in Frank's  
19 board's tenure, and certainly for all of us was a  
20 pleasure to get to know, and his professionalism an  
21 example not only for your office but also for us.

22 And I think the resolution reflects our

1 gratitude. I don't think we'll read it into the  
2 record, but it is in your Board book and I would like  
3 to have a motion to adopt it. If you would like to say  
4 a word or two, Jeff, before we do, that would be fine.

5 MR. SCHANZ: I would. And there's no amount  
6 of paper -- and those who read novels know this,  
7 also -- that can really capture a person's integrity  
8 and soul. I got to know Dutch, and particularly in my  
9 transition from the Department of Justice to LSC, was  
10 fairly in my face.

11 So helped me during that transition period.  
12 He was very good in the Board. In his memory, though,  
13 I think at least once a Board meeting, I'm going to  
14 mention COSO or the Green Book or GAO standards.

15 But John Seeba will be able to do that and  
16 pick up the torch and the mantle, I think, pretty well.

17 But yes, I will miss Dutch personally and  
18 professionally, and I thank the Board for doing the  
19 same.

20 CHAIRMAN LEVI: Thank you. Could I have a  
21 motion -- I guess, with a resolution, we move it?

22 //

1 M O T I O N

2 FATHER PIUS: Yes. I move the resolution.

3 MS. REISKIN: Second.

4 CHAIRMAN LEVI: All in favor?

5 (A chorus of ayes.)

6 CHAIRMAN LEVI: Opposed?

7 (No response.)

8 CHAIRMAN LEVI: Unanimously. And thank him.

9 MR. SCHANZ: Thank you.

10 CHAIRMAN LEVI: I'm sure this will be  
11 communicated to him.

12 Now we have also -- a very special series of  
13 things occurred commending our Office of the Inspector  
14 General. And I'll turn it back to you, Jeff, to  
15 discuss that.

16 MR. SCHANZ: Well, thank you, Mr. Chairman.  
17 As I've said numerous times before the Board and  
18 because I say it so much, I truly believe it: I am but  
19 the conductor of the orchestra. The orchestra are the  
20 people who do the work for the OIG to give Congress the  
21 confidence that they're putting good money after good  
22 money at the LSC, which was not always the case.

1           I'm very proud of my staff, and we do have a  
2 resolution commending them, based on the Chairman's  
3 recommendation as of the last meeting, on our  
4 recognition by the Council of Integrity and Efficiency  
5 for Inspectors General, affectionately known as CIGIE.

6           And I appreciate the opportunity to introduce  
7 the staff. I will bring up Tom Coogan, who is the  
8 mini-conductor of the staff if I'm the conductor. Tom?

9           Yes. We would like to present individual  
10 plaques -- not only the office plaque, which is proudly  
11 on our wall, but the individual members who made this  
12 award possible. Tom, bring them up.

13           Don't be shy. These are very intelligent  
14 Board members, but they're real people, too. Full  
15 names, Tom, please, so everyone knows.

16           CHAIRMAN LEVI: Come on up here and meet the  
17 Board.

18           MR. COOGAN: Cyndy Robinson and Kathryn  
19 Silvestri and Carla Smith and Noel Rosengart. They did  
20 a terrific job in coming up with the idea of taking a  
21 look at compliance to help us prevent fraud at  
22 programs, and they were recognized by the inspector

1 general community at a ceremony last year.

2 (Applause)

3 CHAIRMAN LEVI: So can we have a motion?

4 M O T I O N

5 FATHER PIUS: And I'll move to pass the  
6 resolution commending the Office of the Inspector  
7 General for this award.

8 CHAIRMAN LEVI: Second?

9 MR. GREY: Second.

10 CHAIRMAN LEVI: All in favor?

11 (A chorus of ayes.)

12 CHAIRMAN LEVI: Thank you. Thank you, Jeff.

13 MR. SCHANZ: Thank you. Very rarely does a  
14 "small" Inspector General get recognized for something  
15 that we do. It's usually the big boys -- Justice, DOD,  
16 State, et cetera. So thank you very much to the Board  
17 on behalf of me personally and my staff.

18 CHAIRMAN LEVI: And thank you. Thank you,  
19 Jeff, and thank you to the Inspector General's Office  
20 for your professionalism and your continuing dedication  
21 to the mission of equal justice for all.

22 The report on Delivery of Legal Services?

1           FATHER PIUS: Thank you, Mr. Chairman.  
2     There's no action items to give, but just to thank the  
3     panel that we had put together on financial management  
4     and planning by grantees.

5           I thought it was an excellent presentation.  
6     It provoked a great deal of discussion and thoughtful  
7     analysis on how they do it and how we review them in  
8     their doing it. So I think that was helpful, and  
9     hopefully continuing the pattern of the way in which  
10    the Committee will move forward.

11           CHAIRMAN LEVI: Thank you.

12           The Finance Committee? Mr. Chair?

13                           M O T I O N

14           MR. GREY: Thank you, Mr. Chairman. The  
15     Finance Committee met and had reports from the  
16     Treasurer with regard to the 2014 financial report of  
17     LSC. And it considered as an action item a  
18     recommendation to the Board for the revised  
19     consolidated operating budget for FY 2014, which is  
20     contained in the book. And we would move the adoption  
21     of that resolution.

22           CHAIRMAN LEVI: Is there a second?

1 MS. BROWNE: Second.

2 CHAIRMAN LEVI: All in favor?

3 (A chorus of ayes.)

4 CHAIRMAN LEVI: Opposed?

5 (No response.)

6 MR. GREY: There was also consideration, Mr.  
7 Chairman, of the 2015 appropriation process that was  
8 presented by Carol Bergman, who is the Director of  
9 Government Relations and Public Affairs. That was also  
10 a part of the overall discussion of the budget going  
11 forward for FY 2016.

12 I think the overall observation was that we  
13 are doing all that we can do to inform those who need  
14 to know on the various committees of both the Senate  
15 and the House of the opportunity to fully fund LSC.  
16 And I'd like to commend our Government Relations office  
17 and their diligence in making sure that we stay at the  
18 top of the priority list for those particular  
19 committees.

20 So that's the report of Finance.

21 CHAIRMAN LEVI: Thank you.

22 Audit Committee?

1           MR. MADDOX: Thank you, Mr. Chairman. The  
2 Audit Committee met Monday. We received a review of  
3 the 403(b) plan performance from Traci Higgins, and  
4 there were no issues of note.

5           We received a briefing from the Inspector  
6 General. We received a management update from the  
7 General Counsel regarding risk management, and had a  
8 useful discussion concerning the risk matrix.

9           We received a briefing from the Office of  
10 Compliance and Enforcement and OIG regarding followup  
11 from referrals by OIG. And we had a confidential  
12 discussion about pending matters.

13           There was no action requiring any action by  
14 the Board. Thank you.

15           CHAIRMAN LEVI: Ops and Regs?

16                           M O T I O N

17           MR. KECKLER: Thank you, Mr. Chairman. The  
18 Operations and Regulations Committee met yesterday, and  
19 previously met telephonically on March 3rd. From  
20 yesterday's session, we considered three rules that  
21 we're going to bring today before the Board, two final  
22 rules and one proposed rule.

1           The updated versions of the rules should have  
2    been handed to all the Board members with the  
3    amendments and markups, generally of a minor nature,  
4    that were done yesterday. So you should have those in  
5    hard copy.

6           The first of those rules are changes in  
7    reaction to statutory changes with regard to Indian  
8    reservations, and from the Tribal Law and Order Act  
9    that required changes to 45 CFR Part 1613.

10           So we discussed that, and recommend to the  
11   Board the adoption of the text that you should have as  
12   a final rule.

13           FATHER PIUS: I'm obviously familiar with the  
14   rule. But just to be on the record, I think the issue  
15   with this for me is that it provides an expansion to  
16   the scope of our grantees into the criminal procedures  
17   which I think is rather inappropriate.

18           Congress has done it, and I think we have an  
19   obligation to follow the will of Congress on this. But  
20   it puts us in the difficult situation, I think, of  
21   conflicting directions for our grantees.

22           I think that we have done a good job, the best

1 job that we can, to try to balance those two to make  
2 sure that our grantees stay true to their core  
3 functions but still respecting even if personally I  
4 find problematic the expansion of the role that has  
5 been given by Congress.

6 I understand the need, but to have this being  
7 done by the LSC rather than an entity that might have  
8 better competency in this, I think, is unfortunate,  
9 having been done by Congress. But nonetheless, we do  
10 our best since they speak on the will of the people.

11 MR. KECKLER: Just one point. If you do have  
12 the hard copy, you'll note the one markup from  
13 yesterday is on page 4. You'll find a brief  
14 clarification which arose in the preamble.

15 CHAIRMAN LEVI: Any other comments?

16 (No response.)

17 CHAIRMAN LEVI: It's been moved, I think.

18 MR. KECKLER: As a Committee recommendation,  
19 it's moved by --

20 CHAIRMAN LEVI: Is there a second?

21 MR. KECKLER: It doesn't need to be succeeded.

22 CHAIRMAN LEVI: Okay. All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN LEVI: Opposed?

3 (No response.)

4 MR. KECKLER: All right. That rule is  
5 adopted.

6 Our second final rule that we considered  
7 regarding a revision to 45 CFR Part 1626, which  
8 involves the various services that we can offer to  
9 aliens under various headings. And we had extensive  
10 discussion of the rule, and we recommend its adoption  
11 by the Board.

12 There are a few changes that are noted in the  
13 document that you should have. We altered some of the  
14 verb tenses to be clear about that this does have some  
15 history as we go back and forth, and so we are clear  
16 about how our position has come along during the  
17 preamble. You'll find those marked up at pages 8, 13,  
18 and 15.

19 We also, in a revision recommended by  
20 Professor Valencia-Weber, corrected some of the  
21 citations. You'll find those on page 43, for ease of  
22 reference.

1           And finally, we had one clarification  
2 regarding eligibility that some of the -- under one of  
3 our headings talks about both the geographical  
4 relationship, where necessary, of the eligible client  
5 and the requirement that the activity be in violation  
6 of the laws of the United States or occurred in the  
7 United States.

8           Both of those are required. We just clarified  
9 by a conjunction that both of those conditions are  
10 required. You'll find the relevant regulatory language  
11 change on page 45 of the document that you have before  
12 you, and the corresponding clarification in the  
13 preamble is found on page 29.

14                                   M O T I O N

15           MR. KECKLER: Those are the markups from  
16 yesterday with regard to the rule. And the Committee  
17 recommends its adoption by the Board.

18           CHAIRMAN LEVI: Questions? Comments?

19                                   (No response.)

20           CHAIRMAN LEVI: Second out there? No, it  
21 doesn't need one.

22           MR. KECKLER: Right. Exactly.

1           CHAIRMAN LEVI: All in favor?

2           (A chorus of ayes.)

3           CHAIRMAN LEVI: Opposed?

4           (No response.)

5           MR. KECKLER: Thank you, Mr. Chairman. The  
6 rule is adopted. And we have one further proposed rule  
7 that is to be issued as a notice of proposed  
8 rulemaking, and that is our revision of the private  
9 attorney involvement regulation, 45 CFR Part 1613. We  
10 considered that yesterday, with extensive discussion,  
11 and we have two markups on it that came about during  
12 discussion.

13           Page 35 you'll find a clarification that the  
14 rules, the proposed rules, for PAI clinics have no  
15 intention of placing any further restrictions. The  
16 restrictions that we have are driven by our  
17 interpretation of our statutory restrictions.

18           And on page 42 to 43, we also have a revision  
19 to the sanction element, the failure to comply element,  
20 that if an individual did not seek any waivers and did  
21 not spend their PAI, the revision is that Management  
22 will be given discretion to use the funds that would be

1 withdrawn for a basic field purpose rather than  
2 necessarily return them to the same service area,  
3 although they could do that under the revised  
4 regulation.

5 M O T I O N

6 MR. KECKLER: With those changes, the  
7 Committee has recommended that this rule be published  
8 for comment for a period of 60 days, and for  
9 publication.

10 FATHER PIUS: I'm sorry. Could you talk a  
11 little bit more about the schedule going forward after  
12 that, assuming once we get comments, when it would be  
13 considered again? Is there a tentative goal for, if  
14 things go well, when it might be brought before the  
15 Board again?

16 MR. KECKLER: I'll let OLA comment on the  
17 internal procedures. The Committee has as one of its  
18 key strategic goals for the year to finish this by the  
19 end of the year. And so that is our goal, and so I  
20 will let OLA tell how we're going to do that.

21 (Laughter.)

22 FATHER PIUS: You make the calls, they follow.

1           MR. FLAGG: Yes. We would expect that the  
2 notice would be published in the next ten days or so,  
3 so that takes us to a little beyond mid-April. We  
4 would expect to get comments some time in mid-June. I  
5 would expect, and based on the comments from NLADA and  
6 the ABA yesterday, that we'll get quite a large number  
7 of comments.

8           So I think to try to get something to the  
9 Committee and the Board by July would be ambitious  
10 unless the comments are, you guys got it just right;  
11 don't change a word. If those are the only comments we  
12 get, you'll get it in July.

13           If we get a more elaborate set of comments,  
14 well, the latest you'd here from us would be October.  
15 It's possible we could have a Committee meeting between  
16 July and October. And I think at that point it's  
17 really going to depend on the nature of the comments.

18           If the comments end up generating changes  
19 which are modest, then I would expect we would propose  
20 a final rule; that is, Management would draft a final  
21 rule for the Committee and the Board to consider.

22           If the changes are somewhat more significant,

1 an alternative would be to have another supplemental  
2 notice of proposed rulemaking. Hopefully at that point  
3 we'd be focused on, as we were with the 1626 rule, a  
4 fairly narrow issue or two. They may be a difficult  
5 issue, and that's why we would seek further comments.  
6 But we could probably do with a shorter turnaround in  
7 terms of public comment.

8           But we're mindful of the goal of the  
9 Committee, and we hope to help the Committee and the  
10 Board achieve that goal.

11           MR. KECKLER: Right. In terms of our own  
12 expectations, my own expectations with regard to that,  
13 I think generally my expectation is that we'll get some  
14 kind of report about the nature of the comments in  
15 July, and to understand where that has -- and then  
16 we'll be able to determine the schedule based on that.

17           But certainly my hope is that we'll be able to  
18 consider a rule in the last quarterly meeting of this  
19 year in the fall. That's a goal, but we'll have to see  
20 if we can accomplish that goal. I think it's a  
21 realistic goal, but there may be reasons, good reasons,  
22 that we will not be able to. But they would have to be

1 good, I think.

2 CHAIRMAN LEVI: Laurie?

3 MS. MIKVA: I just have a quick question. So  
4 does the notice and comment period have to be 60 days?  
5 Or it's whatever we say it is?

6 MR. FLAGG: Well, it's whatever you say it is.  
7 I would say if something is very straightforward, 30  
8 days is plausible. On something that is reasonably  
9 complicated, which I think this is, 60 days is more  
10 typical.

11 It may be that there have been times when  
12 we've -- oh, no. If there was a second time around,  
13 and again, if the number of issues we were seeking  
14 comment on were quite limited and the issues discrete,  
15 I would expect 30 days would be more of a goal.

16 CHAIRMAN LEVI: Any other --

17 MR. KECKLER: I'm sorry, Mr. Chairman. So the  
18 Committee, with the changes noted, recommends that the  
19 Board approve publication of this for 60 days of  
20 comment.

21 CHAIRMAN LEVI: All in favor?

22 (A chorus of ayes.)

1 CHAIRMAN LEVI: Opposed?

2 (No response.)

3 CHAIRMAN LEVI: There you go.

4 MR. KECKLER: Thank you, Mr. Chairman. That  
5 concludes the report of the Operations and Regulations  
6 Committee.

7 CHAIRMAN LEVI: Thank you.

8 Governance and Performance Review? Sharon, I  
9 gather -- Martha may be on the phone. You guys can --

10 DEAN MINOW: I am on the phone, but I'm glad  
11 to let Sharon do it.

12 CHAIRMAN LEVI: Great. Terrific.

13 MS. BROWNE: Okay. I will try to step in, but  
14 remember that Martha is on the phone so she can keep me  
15 on the straight and narrow, if possible.

16 The Governance and Performance Review  
17 Committee met on April 6, Sunday. And at our meeting  
18 we had an excellent report by Carol Bergman on the  
19 progress in implementing the GAO recommendations.

20 And it is less outstanding because there are  
21 two GAO issues that are awaiting approval, and there is  
22 just one essentially outstanding issue. And we want to

1 make sure that we are thanking Carol Bergman and the  
2 team in the excellent work in resolving these GAO  
3 recommendations.

4 We also had a report on the Public Welfare  
5 Foundation grant and LSC research agenda, presented by  
6 Jim Sandman. He also reported on his evaluations of  
7 LSC Comptroller, the Vice President for Grants  
8 Management, and Vice President for Legal Affairs, and  
9 all the evaluations in the report he made were very  
10 good, with no issues arising.

11 Last, we had a discussion of a proposed  
12 non-discrimination and anti-harassment policy that was  
13 presented by Ron Flagg. And based upon the comments  
14 and the discussion that we had, which was vigorous, it  
15 will be reconsidered once it is amended at the next  
16 Board meeting.

17 And that's the report for Governance and  
18 Performance Review Committee.

19 CHAIRMAN LEVI: Thank you very much.

20 Any questions?

21 (No response.)

22 CHAIRMAN LEVI: Martha, any --

1 DEAN MINOW: That was beautiful.

2 CHAIRMAN LEVI: Terrific.

3 Okay. The report of the Institutional  
4 Advancement Committee. I don't think we have any  
5 action items.

6 We heard from Wendy Rhein on the many 40th  
7 anniversary activities. Got a brief update on the  
8 campaign so far. And we were given some names that in  
9 closed session we will approve per our policy. We not  
10 only receive into the Committee the names of potential  
11 donors, but then we act on them at the full Board to  
12 approve them.

13 And we'll continue that policy, but we don't  
14 make them a matter of public record until they actually  
15 contribute. And we have a big list, so we're hoping to  
16 have a lot of activity.

17 In any event, we also apparently caused  
18 Atitaya to go into labor shortly after our meeting.  
19 And so I also gave a -- people had to listen to me give  
20 a talk. And I hope it motivates all of us to think  
21 about every aspect of what we do here as a form of  
22 institutional advancement. It's not just about a

1 committee; it's about how we tell our story and also  
2 convince people that we know what we're doing.

3           And with that, Wendy, did I leave anything  
4 out? That's our report.

5           Now we'll move on to the Pro Bono Task Force  
6 report. And I guess -- is that going to be you, Lynn?

7           MR. GREY: If you would be so kind.

8           MS. JENNINGS: Lynn Jennings for the record.  
9 I'll start with the Pro Bono Innovation Fund since  
10 that's certainly on a front burner for us.

11           We are moving apace at ensuring that we can  
12 make the announcements for the award winners by  
13 mid-September in alignment with the 40th anniversary  
14 events. We have wrapped up all of our stakeholder  
15 outreach; we had eight to nine stakeholder outreach  
16 meetings and calls, where we reached about 175 people  
17 and got a lot of good questions and food for thought  
18 that we are now incorporating into what will be the  
19 Notice of Funds Availability.

20           We anticipate that that will be -- there's  
21 actually a draft that is being circulated now for  
22 clearance, and we hope to publish that by April 21st

1 and give grantees until June 30th to apply. And one of  
2 the interesting things that came out of the stakeholder  
3 outreach is, would we, like the TIG grants, allow more  
4 than one application? And yes indeed, we will. And so  
5 that was helpful to get our thinking moving.

6 We will also be putting together an RFP for an  
7 evaluation part of this as well. We will be staffing  
8 up to provide oversight of this. And so we are moving  
9 forward and putting together compliance and review. So  
10 we're moving forward with that.

11 Any questions? Yes, Julie?

12 MS. REISKIN: If this was in there, I  
13 apologize. I did read it, but I can't remember  
14 everything. Did you have a specific size of grant that  
15 you were looking at? I know that only our grantees can  
16 apply. Right? No one else?

17 MS. JENNINGS: Right. Only our grantees can  
18 apply. But we are certainly encouraging many  
19 partnerships and new partnerships to engage new  
20 organizations in partnerships that they haven't had in  
21 the past. And it will be a minimum funding amount of  
22 \$50,000.

1 MS. REISKIN: Is there a maximum?

2 MS. JENNINGS: Similar to TIG, there are a few  
3 that are in the multiple hundreds of thousands of  
4 dollars. So I think that we would look to that. But  
5 of course, we'd like to wait and see what is submitted.

6 Father Pius?

7 FATHER PIUS: And so we're planning to have a  
8 structure in place in terms of staff and all oversight.

9 Do you know when that would be up and functioning? Do  
10 we know when we'll have that all organized?

11 MS. JENNINGS: We have a draft position  
12 description that we need to review and work with H.R.  
13 and Jim on. And for the past few weeks, as Jim had  
14 discussed, we were working on the budget and what was  
15 feasible. So we're working on that. We looked at  
16 that. Since that's done, we can move forward with  
17 that.

18 FATHER PIUS: And we'll be taking some  
19 percentage of the new grant allocation of that?

20 MS. JENNINGS: Yes. There's 5 percent, so  
21 that's \$125,000. So we assume that's --

22 FATHER PIUS: Are we taking anything else out

1 of MG&O funds for that, or is it all coming out of the  
2 percentage of the grant funds for that oversight?

3 MS. JENNINGS: There will probably be some  
4 leveraging of other MG&O budget just because one FTE  
5 probably is not enough. But it's very helpful.

6 Any other questions related to that?

7 (No response.)

8 MS. JENNINGS: As it relates to the  
9 subcommittees that we've been working on, and I am, as  
10 always, very fortunate to have our partners from DLA  
11 Piper -- Annie Helms and Lisa Dewey have helped us  
12 along, and my new partner is Ron Flagg, who's been  
13 terrific in this. And we still talk every other week  
14 and have conference calls.

15 On the toolkit subcommittee, we have a number  
16 of best practices up on its own web page, and the link  
17 can be found in your briefing book, as well as we had a  
18 conference call recently about how we could improve the  
19 PAI plan application. And there were lots of comments  
20 on that.

21 So we are currently assessing those comments  
22 and looking to see what we can do better in coming up

1 with a new draft for that. It may not be reflected in  
2 the 2015 schedule because we're set to go live with our  
3 RFP on that. But it is something that we will be  
4 considered.

5 Julie, you had a question?

6 MS. REISKIN: Are you using Google Analytics  
7 to evaluate traffic to the web page, to that web page?

8 MS. JENNINGS: Mara Pelletteri, who does that,  
9 she's very keen with Google Analytics. We haven't had  
10 a meeting to discuss that particularly, but we want to  
11 develop a strategy to push it out more.

12 MS. REISKIN: It would be great, after you've  
13 done that, for us to know just real briefly --

14 MS. JENNINGS: Right.

15 MS. REISKIN: -- maybe in Jim's report or  
16 somewhere, what you're seeing, what kind of use you're  
17 seeing off that.

18 MS. JENNINGS: Will do. And then, of course,  
19 we've launched sort of a pilot project, where we have  
20 some pro bono experts joining the Office of Program  
21 Performance to go out with us on our trips to look at  
22 the pro bono PAI portion. And that has been very

1 helpful. We've had two pilot trips so far, and we're  
2 going to debrief those and see what we can do better.  
3 So that's the toolkit subcommittee.

4           And then on the rules change subcommittee, we  
5 have most of our analytics done and our inventory  
6 conducted. What we are doing now is looking at those  
7 states that have mandatory or voluntary pro bono  
8 reporting to see if there's any trend analysis that we  
9 can look at.

10           So that will be helpful because we have this  
11 huge inventory of rules, but we don't really know if  
12 they've had any effect or not. So we want to do a  
13 little more baselining there, and we'll be  
14 incorporating corporate counsel rules as well. And  
15 we're also conducting some more outreach calls there to  
16 engage the ABA and the National Conference of State  
17 Justices.

18           And Ron, I'll call you up here if you want to  
19 give the culture change update. I don't want to steal  
20 your thunder.

21           MR. FLAGG: Thanks, Lynn.

22           As the Board knows, the Pro Bono Task Force

1 recommended that -- one of the recommendations was that  
2 LSC think about a public relations campaign to try to  
3 create culture change around the issue of pro bono.

4           We have been giving broader thought to culture  
5 change initiatives, and in that regard we've reached  
6 out and had meetings or calls with the ABA Pro Bono  
7 Committee, which actually the Board was part of in  
8 Austin. The NLADA, the Pro Bono Institute, APCO -- I'm  
9 probably not remembering them all, but we've had quite  
10 a number of conversations.

11           I think our focus at this point is back to  
12 where the Pro Bono Task Force was, which is on  
13 identifying public relations or public education  
14 campaigns that would be impactful, that would meet the  
15 rubric of culture change but would be feasible and  
16 impactful.

17           And to accomplish that, I think our thought is  
18 the focus ought to be on statewide or local campaigns  
19 that we could create a template for. And I think you  
20 saw yesterday in Allan's presentation how powerful and  
21 provocative that kind of presentation can be.

22           And our thought is if you combine that sort of

1 call to action, if you will, with a referral, so that  
2 if this was being done in a state or a locality, you'd  
3 get the call to action and say, now you can help. You  
4 can make a difference. Call this legal services  
5 provider. Call this access to justice commission.

6           So that is the general thought that we on LSC  
7 staff have had. We're trying to pursue that idea with  
8 a number of state leaders, and we want to circle back  
9 to Sharon and Gloria and our other co-chair to talk to  
10 them about this concept more and then get with our  
11 committee. But at our next meeting we'll have  
12 something more concrete to talk about.

13           CHAIRMAN LEVI: Well, and Gloria -- what  
14 Gloria's trying to do in New Mexico is really a  
15 template for a state of that size in terms of culture  
16 change.

17           MR. FLAGG: Yes.

18           CHAIRMAN LEVI: And I was struck, really, as I  
19 listened to the Washington, D.C. pro bono group  
20 yesterday that that is a kind of culture change that  
21 urban America, at least, might -- I think other cities  
22 have similar types of things, but not to the same

1 extent and not with the same success.

2           And that graph that -- I think it was part of  
3 one of the committee presentations -- that showed where  
4 the lawyers were. Of course, there are so many here.

5           MR. FLAGG: Yes. And I am, along with Jim,  
6 quite familiar. The one big advantage we have in D.C.  
7 is we have a mandatory bar that is coincident with the  
8 city limits. And you have a lot of lawyers, and all of  
9 our federal courts and our state court, if you will,  
10 are all within two miles of her.

11           So it's very conducive to what you see. And I  
12 do think it's a good model for other cities and other  
13 jurisdictions, but I think we need to recognize there  
14 are some advantages here that those other jurisdictions  
15 don't necessarily have.

16           CHAIRMAN LEVI: I wondered whether they could  
17 prepare a kind of a video. We could do kind of a  
18 webinar or a video thing for 30 minutes or something  
19 that other cities could then take a look at and benefit  
20 from, or just the Pro Bono Institute with us, maybe,  
21 could host and people could dial into.

22           There were certainly take-aways from their

1 presentation.

2 MR. FLAGG: I know that's how Jim designed the  
3 presentation, so I think that's a good idea. We ought  
4 to put together a package of take-aways and put it  
5 together into a webinar or some other format that  
6 people could see.

7 CHAIRMAN LEVI: Gloria and then Robert.

8 PROFESSOR VALENCIA-WEBER: I'm doing visits on  
9 the Hill with the New Mexico Bar officers, and I'm  
10 going to suggest that they take a look at what we got  
11 from the Tannenbaum, which is on the web page, and see  
12 if we can program that into that annual meeting  
13 conference that Robert is going to --

14 MR. FLAGG: If you're looking for examples,  
15 and that's a terrific example, if you want to look at  
16 an example, or three examples, of state-specific  
17 presentations, and I'll send these links to you,  
18 Florida has one, Nevada has one, and the Tennessee  
19 Access to Justice Commission. Those three are, I  
20 think, pretty good models of a call to action and a  
21 place to volunteer if you're moved.

22 CHAIRMAN LEVI: Robert?

1           MR. GREY: John, at the ABA level there's a  
2 conference of bar presidents, and the executive  
3 directors as well, that is a place we ought to try to  
4 get ourselves on the agenda of this year. And that  
5 meeting is going to be before the 40th, so it might be  
6 interesting to figure out how to be there and think  
7 about what it is we could present.

8           Instead of the voluntary effort to be part of  
9 a webinar, we might want to take it to them and have  
10 them as a captive audience and present something in  
11 that form. And then you have the state justice  
12 initiatives that also gather from time to time to talk  
13 about best practices and the like.

14           So we might want to be a little bit more  
15 proactive as opposed to passive in this regard and see  
16 if we can get on other folks' again that would give us  
17 a better penetration, I think. Just a thought.

18           CHAIRMAN LEVI: It would be great if we  
19 actually had, for us, those calendars. I'm always  
20 surprised when I hear the Equal Justice Conference is  
21 coming up and it's in Portland. It shouldn't be a  
22 surprise to us.

1           And I think we ought to have a systemic way of  
2 letting board members know where these things are and  
3 where they're taking place. And if they happen to be  
4 in the area or it's convenient -- but of course, we  
5 don't want you just to show up. But thoughtfully, we  
6 ought to be fanning out to cover some of these.

7           Yes?

8           MR. GREY: Well, I think that's right. If you  
9 think about just the management tool of that  
10 spreadsheet, the idea of those organizations that we  
11 have a relationship with or should have a relationship  
12 with and their calendar, superimposed on a master  
13 calendar might be actually helpful to us.

14           And then to the extent we could dispatch  
15 volunteers or professionals in that regard, or more  
16 importantly, grantees, to the extent that they are in  
17 the area and available, would be helpful, I think.

18           CHAIRMAN LEVI: Thank you very much.

19           MS. JENNINGS: We will follow up.

20           CHAIRMAN LEVI: Any other questions? Any  
21 questions on the phone?

22           (No response.)

1           CHAIRMAN LEVI: Public comment, then?

2           (No response.)

3           CHAIRMAN LEVI: No public comment today? My  
4 gosh. Well, we'll consider and act on other business?

5           (No response.)

6           CHAIRMAN LEVI: Before we then move to a  
7 closed session, I want to say that if you're going to  
8 the White House, the bus leaves at 1:00 -- is that  
9 right -- from out front. There are box lunches or  
10 something around, or --

11           MS. FERTIG: Actually, you should have enough  
12 time to go up to the fourth floor and have lunch up  
13 there.

14           CHAIRMAN LEVI: We do. What about everybody  
15 else that's in the room here? Okay.

16           Thank you very much. Can we have a motion to  
17 close, or move to executive session of the Board?

18                           M O T I O N

19           FATHER PIUS: I move that we move to executive  
20 session.

21           DEAN MINOW: Second.

22           CHAIRMAN LEVI: All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN LEVI: So you'll have to redial in.

3 And thank you, everybody.

4 (Whereupon, at 11:20 a.m., the open session of  
5 the Board was adjourned to executive session.)

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