

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

BOARD OF DIRECTORS

OPEN SESSION

Saturday, January 20, 2007

10:47 a.m.

The Legal Services Corporation
3333 K Street, N.W.
Washington, D.C.

BOARD MEMBERS PRESENT:

Frank B. Strickland, Chairman
Lillian R. BeVier
Jonann C. Chiles (via telephone)
Thomas Fuentes
Herbert S. Garten
David Hall
Michael D. McKay
Thomas R. Meites
Bernice Phillips
Sarah Singleton (via telephone)
Helaine M. Barnett, ex officio

STAFF AND PUBLIC PRESENT:

Patricia D. Batie, Manager of Board Operations
Lynn Bulan, Senior Assistant General Counsel
Mattie Cohan, Senior Assistant General Counsel
Victor Fortuno, Vice President of Legal Affairs,
General Counsel & Corporate Secretary
Joel Gallay, Special Assistant to the Inspector General
Michael Genz, Director of Programs
Reginald Haley, Program Analyst
Charles Jeffress, Chief Administrative Officer
Guy Lescault, Program Counsel
Ronald Merryman, Assistant Inspector General for Audit
Joyce Raby, Program Analyst
Glenn Rawdon, Program Counsel
David L. Richardson, Treasurer & Comptroller
Karen Sarjeant, Vice President of Programs & Compliance
Don Saunders, National Legal Aid and Defender
Association
Rosita M. Stanley, National Legal Aid and Defender
Association
Julie Strandlie, American Bar Association
Laurie Tarantowicz, LSC Office of Inspector General
JoAnn Wallace, National Legal Aid and Defender
Association
Kirt West, Inspector General
Charles Wynder, Jr., National Legal Aid and Defender
Association

C O N T E N T S

	PAGE
Approval of Agenda	5
Approval of Minutes of the Board's Meeting of October 28, 2006	6
Approval of Minutes of the Executive Session of the Board's Meeting of October 28, 2006	6
Approval of Minutes of the Board's Open Session Telephonic Meeting of November 27, 2006	6
Approval of Minutes of the Board's Open Session Telephonic Meeting of December 18, 2006	6
Consider and act on Nominations for the Chairman of the Board of Directors	8
Consider and Act on Nominations for the Vice Chairman of the Board of Directors	8
Consider and Act on Delegation to Chairman of Authority to Make Committee Assignments	12
Chairman's Report	13
Members' Reports	15
President's Report	20
Inspector General's Report	26
Consider and Act on the Report of the Provision for the Delivery of Legal Service Committee	47
Consider and Act on the Report of the Finance Committee	63
Consider and Act on the Report of the Operations & Regulations Committee	72
Staff Presentation on LSC's Technology Initiative Grants	80

C O N T E N T S

	PAGE
Staff Presentation on LSC's Competitive Grants Process	116
Status Report on Performance Measures for Strategic Directions	135
Consider and Act on the Selection of Locations for LSC Board Meetings in Calendar Year 2008	141
Consider and Act on Director Fuentes's Suggestion that Board Meet More Frequently	148
Public Comment	154
Consider and Act on Other Business	157
Consider and Act on Whether to Authorize an Executive Session of the Board to Address Items in Closed Session	157

MOTIONS: 6, 7, 9, 10, 12, 52, 65,
66, 70, 76, 143, 157

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

2 CHAIRMAN STRICKLAND: Well, good morning,
3 everybody. Let me call to order to the meeting of the
4 board of directors of the Legal Services Corporation
5 for January 20, 2007.

6 And let me ask the two board members -- let's
7 confirm that two board members are on the telephone
8 conference call: Sarah Singleton and Jonann Chiles.

9 MS. SINGLETON: That's correct, Frank. This
10 is Sarah Singleton.

11 CHAIRMAN STRICKLAND: And Jonann, you're
12 there, correct? We're now on the record.

13 MS. CHILES: Yes, this is Jonann Chiles on
14 the telephone. Thank you.

15 CHAIRMAN STRICKLAND: All right, thank you.
16 And as I understand it, the reporter is able to note
17 the attendance of the other board members without
18 identification by each, is that correct?

19 THE REPORTER: That is correct, Mr. Chairman.

20 APPROVAL OF AGENDA

21 CHAIRMAN STRICKLAND: Okay. The first item
22 is the approval of the agenda. Has everyone had a

1 chance to review the agenda?

2 M O T I O N

3 CHAIRMAN STRICKLAND: And if so, is there a
4 motion to approve the agenda?

5 MS. BEVIER: So moved.

6 CHAIRMAN STRICKLAND: A second?

7 MR. GARTEN: Second.

8 CHAIRMAN STRICKLAND: Any discussion?

9 (No response.)

10 CHAIRMAN STRICKLAND: All those in favor,
11 please say aye.

12 (Chorus of ayes.)

13 CHAIRMAN STRICKLAND: Opposed, no.

14 (No response.)

15 APPROVAL OF MINUTES OF BOARD'S OPEN SESSION

16 TELEPHONIC MEETINGS OF: OCTOBER 28, 2006;

17 NOVEMBER 27, 2006; AND DECEMBER 18, 2006

18 CHAIRMAN STRICKLAND: The agenda is approved.

19 We then have several sets of minutes to approve. Is
20 there any question about any of the minutes?

21 (No response.)

22 //

1 M O T I O N

2 CHAIRMAN STRICKLAND: And if there is none,
3 perhaps we could approve those all in one motion.

4 MR. FUENTES: Move to approve, as listed.

5 CHAIRMAN STRICKLAND: Items two through five?

6 MR. FUENTES: Yes, sir.

7 CHAIRMAN STRICKLAND: All right. Is there a
8 second to that motion?

9 MR. GARTEN: Second.

10 CHAIRMAN STRICKLAND: All those in favor,
11 please say -- is there any discussion?

12 (No response.)

13 CHAIRMAN STRICKLAND: Hearing none, all those
14 in favor please say aye.

15 (Chorus of ayes.)

16 CHAIRMAN STRICKLAND: Those opposed, nay.

17 (No response.)

18 CHAIRMAN STRICKLAND: The ayes have it, and
19 the minutes -- the board's meeting of October 28, 2006,
20 the executive session of the board's meeting of October
21 28, 2006, the open session telephonic meeting of
22 November 27, 2006, and the board's open session

1 telephonic meeting of December 18, 2006 are all
2 approved in that motion.

3 CONSIDER AND ACT ON NOMINATIONS FOR
4 THE CHAIRMAN AND VICE CHAIRMAN
5 OF THE BOARD OF DIRECTORS

6 CHAIRMAN STRICKLAND: The next item is to
7 consider and act on nominations for chairman of the
8 board of directors.

9 MR. FUENTES: Mr. Chairman?

10 MR. MEITES: Perhaps we will do this jointly.

11 Mr. Chair, Mr. Fuentes and I would jointly like to
12 nominate you for another term as chairman of the board
13 of directors. Tom?

14 MR. FUENTES: I would indeed join you in
15 that, and with the hope also that this item could be
16 almost combined with the item number seven, because
17 it's certainly my intent, as well, to seek the
18 re-election of -- and offer the nomination of -- our
19 vice chairman.

20 MR. MEITES: And I certainly assent to that.

21 Actually, I was going to propose that both Frank and
22 Lillian be nominated for life, but I believe that --

1 (Laughter.)

2 MR. MEITES: -- that may be more than can be
3 asked. They have both served ably, as we all know from
4 personal experience. It's been a difficult year for
5 us, but not, I think, out of the ordinary that we can
6 expect in this job.

7 Looking back at our years of service, I think
8 that I would characterize all of us as somewhat naive
9 when we came to Washington. Not quite as bad as the
10 movie "Mr. Smith Comes to Washington," but towards that
11 end of the spectrum. And I think that we have all
12 learned in the job, and I think that part of our
13 ability to learn is because of the help that we receive
14 from Frank and Lillian.

15 M O T I O N

16 MR. MEITES: So, I -- Tom and I -- nominate
17 Frank and Lillian for another term as chairman and vice
18 chairman of the board.

19 MR. MCKAY: Second.

20 MR. GARTEN: And I will join in that second.

21 CHAIRMAN STRICKLAND: Thank you very much to
22 the nominators and the seconders. Are there any other

1 nominations?

2 M O T I O N

3 CHAIRMAN STRICKLAND: Is there a motion to
4 close the nominations?

5 MR. MCKAY: So moved.

6 MR. FUENTES: Second.

7 CHAIRMAN STRICKLAND: Moved and seconded that
8 the nominations be closed. All those in favor of that
9 motion please signify by saying aye.

10 (Chorus of ayes.)

11 CHAIRMAN STRICKLAND: Does that -- all right,
12 I think having closed the nominations, then we move
13 to -- proceed to act on the main motion, which is
14 combining items six and seven, as I understand those
15 motions.

16 MR. MEITES: That is correct.

17 CHAIRMAN STRICKLAND: Or the motion. All
18 those in favor of the motion, please signify by saying
19 aye.

20 (Chorus of ayes.)

21 CHAIRMAN STRICKLAND: Those opposed?

22 (No response.)

1 And let's move to item eight.

2 CONSIDER AND ACT ON DELEGATION TO CHAIRMAN
3 OF AUTHORITY TO MAKE COMMITTEE ASSIGNMENTS

4 M O T I O N

5 CHAIRMAN STRICKLAND: You may recall in
6 previous years that we have, on an annual basis,
7 delegated to the chairman the authority to make
8 committee assignments. And I would entertain a motion
9 on that item.

10 MR. GARTEN: So moved.

11 MR. FUENTES: Second.

12 CHAIRMAN STRICKLAND: Any discussion?

13 (No response.)

14 CHAIRMAN STRICKLAND: All those in favor,
15 please say aye.

16 (Chorus of ayes.)

17 CHAIRMAN STRICKLAND: Any -- those opposed,
18 nay.

19 (No response.)

20 CHAIRMAN STRICKLAND: The ayes have it, and
21 that item is adopted. The next item is the Chairman's
22 Report.

1 CHAIRMAN'S REPORT

2 CHAIRMAN STRICKLAND: You have heard some
3 discussion of this, but let me state it for the record
4 that we made some visits to the Hill on Thursday, and
5 if I get the names wrong, please correct me, but I
6 believe the first place we visited was the office of
7 Senator Thad Cochran of Mississippi, who is now the
8 ranking member of the Senate Appropriations Committee.

9 We met with Brad Davis of his staff, with
10 whom we have met before. A very sharp young lawyer
11 from Mississippi, who is supportive of our
12 organization, and I think was instrumental in the
13 effort last year by Senator Cochran to -- on the
14 budget, on the appropriations side. Although that
15 didn't come to pass, we did have strong support from
16 Senator Cochran's office.

17 We then visited the office of Senator
18 Mikulski, of Maryland. And I don't -- somebody help me
19 with -- Helaine, what is her title, as a result of the
20 political shift?

21 MS. BARNETT: She is chairman of the
22 subcommittee on appropriations.

1 CHAIRMAN STRICKLAND: Right. And she changed
2 places with Senator Shelby in that regard?

3 MS. BARNETT: Exactly.

4 CHAIRMAN STRICKLAND: He is now ranking
5 member?

6 MS. BARNETT: Exactly.

7 CHAIRMAN STRICKLAND: We met with Aaron
8 Cochoran of her staff, her counsel, and learned that
9 she is going to move to the committee, but will
10 continue to have responsibility for LSC when she goes
11 to that new assignment. We found her to be very
12 supportive.

13 Not to minimize the importance of those
14 visits, the highlight of the day was a visit to
15 Congressman Alan Mollahan of the first district of West
16 Virginia. And before we realized it, we had been -- we
17 visited with him for a full hour. And he was
18 extraordinarily well briefed and informed about our
19 issues, asked probing questions. I don't think he
20 intended to put us on the griddle, but he did ask some
21 significant questions, and I think we answered all his
22 questions.

1 He is very supportive of what we do, and his
2 position is currently --

3 MS. BARNETT: He is chair of the subcommittee
4 in the House. Appropriations.

5 CHAIRMAN STRICKLAND: All right, on the
6 appropriations side. I told him when we finished the
7 meeting, that it was just an outstanding visit for us,
8 and that no other Member of Congress has spent that
9 much time with an LSC delegation, in my experience.
10 And I think he was somewhat taken back by that comment.

11 But it was an outstanding visit for us, and I
12 hope that we have more of those, going forward. And
13 that concludes the Chairman's Report.

14 MEMBERS' REPORTS

15 CHAIRMAN STRICKLAND: Now, do any members
16 have items they would like to report to the board
17 about?

18 MS. BARNETT: This is the Members' Reports?

19 CHAIRMAN STRICKLAND: Yes, Members' Reports.

20 MS. PHILLIPS: Neighborhood Legal Services
21 held their 30th anniversary celebration on November the
22 30th, which I attended. We honored Mr. Vince

1 Bazaar -- I think that's how you pronounce his name.

2 We gave him the Justice for All Award.

3 Mr. Bazaar was instrumental in restoring the
4 state funding for legal services for low-income
5 residents. He led a successful e-mail campaign
6 resulting in 1,500 bar members creating their
7 state -- or contacting their state legislator to
8 restore state funding of \$4.6 million for legal
9 services for the poor, which resulted in state
10 legislator overriding the government's veto.

11 So, I would just like to take my hat off to
12 Mr. Bazaar on the client's behalf for doing that.

13 CHAIRMAN STRICKLAND: Well, thank you for
14 attending that function on our behalf, and for making
15 that report. Any other reports from members? Herb?

16 MR. GARTEN: Yes. I shared with Helaine and
17 Frank an editorial that appeared in the Baltimore Sun a
18 couple of weeks ago, in which it highlighted how
19 important all this supplemental funding is -- IOLTA
20 filing fee surcharges -- and reported that in Maryland.
21 And this is not true, of course, elsewhere.

22 LSC funding represents only 20 percent of the

1 total budget spent on legal services in the State of
2 Maryland. This figure will vary.

3 But I think it's important for the
4 board -- and that editorial highlighted it for me,
5 whether -- I was certainly aware of it, but I didn't
6 realize how low a percentage it was -- that great
7 strides have been made since the founding of Legal
8 Services Corporation in most of the other states in
9 finding other sources of income, and also a dramatic
10 increase in the delivery of legal services through the
11 pro bono efforts of the bar.

12 I have asked Pat Batie to hand out to you
13 some material highlighted by the fact that there is a
14 drive in the United States, in many of the states, to
15 get the banks to pay more interest than they are
16 presently paying on attorney escrow accounts. For
17 example, in Maryland, some of the banks are paying less
18 than one percent, some paying more. And ones that are
19 paying more have been duly recognized.

20 In states like Ohio and Florida, the courts
21 or legislature have passed what they call IOLTA
22 comparability rates, in which the banks are required to

1 pay the same rate of interest they would pay on any
2 commercial or personal account that is deposited with
3 them, based upon, of course, the amount of the deposit.

4 And in Maryland, for example, the executive
5 director they met with just this last week tells me
6 that if this rule is adopted -- and it's being
7 considered by the highest court of our state, the Court
8 of Appeals -- increased amounts going into IOLTA will
9 increase from a double the \$5 million to \$6 million
10 that presently are in this year.

11 And you can see that's very simple. If we're
12 getting one percent or one-and-a-half percent, and
13 banks are paying substantially more on regular
14 accounts, that this would mean substantial increase
15 funding throughout the United States.

16 I bring this all to you, and I recommend you
17 take a look at this material to understand that we are
18 a very important part of the total funding, and it's
19 not intended in any way to minimize the importance of
20 LSC and the financial support we're getting from
21 Congress. But I would like you to understand the total
22 picture, as it exists in this country. Thank you.

1 CHAIRMAN STRICKLAND: Herb, thank you for
2 that report. And I know you would not report this
3 yourself, but let me do my best to report about an
4 award that was given to you recently by the Maryland
5 Bar Association. Is that correct?

6 MR. GARTEN: Daily Record.

7 CHAIRMAN STRICKLAND: What?

8 MR. GARTEN: Daily Record. State legal and
9 financial newspaper.

10 CHAIRMAN STRICKLAND: Well, in essence, it
11 was a pro bono award recognizing Herb Garten as "Mr.
12 Pro Bono" in the State of Maryland. And I would ask
13 all of the people in the room to join me in a round of
14 applause.

15 (Appause.)

16 MR. GARTEN: Thank you. It was very much
17 unexpected, and I have told my friends, "If you live
18 long enough, good things happen."

19 CHAIRMAN STRICKLAND: Any other member
20 reports?

21 (No response.)

22 CHAIRMAN STRICKLAND: We will then turn to

1 the President's Report. Ms. Helaine Barnett?

2 PRESIDENT'S REPORT

3 MS. BARNETT: Well, we have had a very busy
4 few months since the last board meeting. I have handed
5 out my complete report to members of the board, and I
6 have given a copy to our reporter to be included in the
7 record.

8 But I would just like to highlight a few
9 things for the board that is included in the report.
10 First, with regard to our leadership mentoring pilot
11 project, I will defer to the chairman of the provisions
12 committee, David Hall, for his report.

13 But I would like to talk for a moment about
14 our technology initiative grants annual conference,
15 which was scheduled this past week in Austin, Texas, on
16 January 7 to 19th, in the midst of an ice storm. And
17 while we expected that conference to be our largest
18 ever, and it was sold out, Mother Nature did intervene.

19 However, the conference went forward. We
20 delayed the opening a half-day, and still, nonetheless,
21 had close to 85 attendees. We made a very exciting
22 announcement at that conference, nonetheless, that I

1 wanted to share with you all. And that is that the
2 Legal Service Corporation is a recipient of a Google
3 grant of free advertising to LSC.

4 The Google grant program supports
5 organizations sharing Google's philosophy of community
6 service, and is a unique, in-kind advertising program
7 designed to help 501(c)(3) organizations inform and engage
8 their constituents online. Google grant recipients use
9 their award of free advertising to raise awareness and
10 increase traffic to their service online.

11 In announcing the grant, Google stated, "We
12 are pleased to be able to offer a grant to the Legal
13 Services Corporation, and assist in their mission of
14 helping more poor Americans gain access to the judicial
15 system."

16 Through the Google ads program, LSC will
17 create a specific ad campaign for each of our program's
18 statewide websites. We will provide a four-line ad
19 specific to each state that will display, along side of
20 the Google search results. We will be working with
21 community members and Google to identify and select the
22 most relevant search terms. This program will clearly

1 benefit our clients by directing them to relevant
2 online local legal information and resources about our
3 programs, based on their legal needs.

4 And LSC hopes to have the ad campaign in
5 place and functioning before the end of the first
6 quarter in 2007. I would also like to just share with
7 the board the results of the -- the highlights of the
8 results of our competition this past year. As you
9 know, we had five service areas through which there
10 were multiple applicants. And I thought I would share
11 with you the decisions we made.

12 In Florida, we awarded Three Rivers Legal
13 Services for three years. That was a competition for
14 the northern part of Florida. South Carolina Migrant
15 Services, we had two competing grants, both
16 LSC-existing grantees. We gave it to Carolina -- South
17 Carolina Legal Services for one year. And for
18 Wyoming's statewide program we had the existing
19 program, and another applicant. And we awarded the
20 Wyoming Legal Services again for one year. So we had a
21 specific grant conditions on both the South Carolina
22 migrant program and the Wyoming state program.

1 Also of note, we gave two programs very
2 limited funding. The legal services program in
3 American Samoa, Uunai Legal Services Clinic, was
4 awarded only two months funding, with special
5 conditions. The program began receiving LSC funding in
6 2004, and has had a very problematic compliance history
7 with its audit and other members. The program, as you
8 might be aware, is geographically closer to Australia
9 than to the United States.

10 And so, we will be working with the program,
11 with the OIG, and the U.S. representative from American
12 Samoa, to attempt to improve the existing situation.
13 And CRLA was put on month-to-month funding with special
14 grant conditions in response to unresolved compliance
15 investigations. Twelve other programs received special
16 grant conditions with their awards.

17 And finally, I would just like to take note
18 that we had a very productive first meeting with the
19 general counsel of FEMA and his staff. We have already
20 set up the follow-up meeting for the first week in
21 February, and we are very encouraged that we will be
22 able to work more collaboratively with FEMA in the

1 future, with regard to any federally-declared
2 disasters.

3 So, with those highlights, if there are any
4 questions --

5 MR. MEITES: I want to pursue the last -- as
6 I recall, the idea of working with FEMA kind of came up
7 coincidentally at one of our meetings, perhaps the last
8 one, when we were told that, I think, the young lawyers
9 section of the ABA, or some other improbable entity,
10 has a long-standing relationship with FEMA and its
11 predecessors.

12 And it seemed to me, at least, it should, of
13 course, be us, given all the work we did with our
14 grantees in the southeast in response to the recent
15 series of hurricanes. And I would hope that not only
16 are we offering to work with FEMA, but that FEMA
17 realizes that our services are not free, that we have
18 spent a substantial amount of our resources on doing
19 work that FEMA should have paid for in the first place.

20 And is there a possibility that your
21 discussions may lead to FEMA realizing that some of the
22 vast amount of money that Congress has entrusted to it

1 should pay for our contribution to disaster relief?

2 MS. BARNETT: I think our position is very
3 clearly that we, in the provision of civil legal
4 services to affected disaster victims, are part of any
5 recovery system.

6 We are also, by the way, meeting with the
7 young lawyers division, who also wants to work more
8 cooperatively. We have no interest in their minimal
9 contract at all, but to improve our relations, and
10 getting referrals from them, as well.

11 Of course, our major push was to be part of a
12 supplemental appropriation for any disaster relief, but
13 to include a provision for civil legal services --

14 MR. MEITES: Well, what I would also like you
15 to consider is that when the disaster happens is not
16 the time to start responding. That's the great lesson
17 I think we have all learned. And if FEMA had its head
18 on straight, it would commission us to get the systems
19 in place now for the next disaster, rather than waiting
20 until it happens.

21 MS. BARNETT: Thank you for those comments,
22 and they are perfectly timely, since our next meeting

1 is February 5th.

2 CHAIRMAN STRICKLAND: Anything else? Any
3 other question for Helaine?

4 (No response.)

5 CHAIRMAN STRICKLAND: Is that the conclusion
6 of your report?

7 MS. BARNETT: Yes. But the board has the
8 complete report. And if there are any questions --

9 CHAIRMAN STRICKLAND: And you have asked the
10 reporter -- we will ask him again to make the entire
11 President's Report, as submitted, a part of the minutes
12 of the meeting.

13 THE REPORTER: Understood.

14 CHAIRMAN STRICKLAND: Okay, thank you. Next
15 is the Inspector General's Report. We will ask Kirt
16 West to come forward.

17 INSPECTOR GENERAL'S REPORT

18 MR. WEST: Good morning, Mr. Chairman and
19 members of the board. I would like to do a couple of
20 things. One is I would like to report on what I think
21 is a very good-news story, which is following up from
22 last June when you, Mr. Chairman, and the vice

1 chairman, visited me and visited with my staff and
2 visited with President Barnett and her staff, working
3 towards better cooperation, better communication. And
4 it's getting better. It's not perfect, but it's
5 getting a lot better.

6 The discussions around the personnel
7 handbook, personnel manual, were very good. The
8 exchanges between my staff and Mr. Jeffress and Alice
9 Dickerson were open, they were frank, they were candid,
10 and as a result, there were times when our office's
11 position changed on something and we said, "Well,
12 that's a better idea," and they had the same. And so
13 that was, to me, just a very positive way to work
14 together.

15 Recently I think you heard in the -- just
16 with respect to CRLA, the IG's staff and the -- Karen
17 Sarjeant in the OCE staff have been working together in
18 a practical, problem-solving approach. And so, I just
19 wanted to report to you that your efforts last June I
20 think have been successful. And we're both, I think,
21 still struggling with our unique roles within the
22 organization. And as Charles and I have talked about

1 specifically, it's particular, an IG, in a non-profit
2 corporation funded by Congress, which is a unique duck
3 in the -- there is one other organization like that in
4 the federal -- that's federally funded by Congress.

5 And so, what we -- we're working through
6 these issues, we are having lots of communication. I
7 think we had another example of where Mr. Fortuno and
8 I, and Laurie Tarantowicz, my counsel, worked on the
9 consolidated operating budget guidelines.

10 So, I think we are seeing a much more
11 positive relationship. And I just would like to thank
12 the board for that. I would also like to thank
13 President Barnett and her staff for their efforts. And
14 I think Legal Services Corporation is the beneficiary
15 of all this. So I wanted to get that on the record.

16 CHAIRMAN STRICKLAND: Thank you.

17 MR. WEST: What I would like to do is run
18 briefly through the -- our work plan for 2007. Laurie
19 will hand a copy of it, and Dutch has copies for the
20 audience. Keeping in mind this is a sort of a living
21 document, when we did this, we kind of had to do our
22 work plan based on the assumption there would be a

1 continuing resolution for the entire year. I think we
2 have heard that in the finance committee, the problems
3 that we are all facing, in terms of how much money we
4 get.

5 It's based on the current OIG organizational
6 structure, but I would like to let you know, we are
7 talking about trying to reorganize our work somewhat,
8 so that our work fits within our strategic plan that is
9 aligned with the corporation's strategic directions.
10 And so I think there may be some slight shifts in
11 emphasis that I will be reporting to at the April
12 meeting. We are still talking about it, but -- so this
13 is the plan, for what it's worth, right now.

14 And in terms of putting this plan together,
15 one of the challenges is our staffing vacancies. We
16 have had difficulty filling some positions because of
17 salaries. I think it's the same problem that
18 management has had.

19 The budget is an uncertainty that -- my way I
20 would want to hire a staff of 23 or 24 is very
21 different than I would hire a staff of 20. And I have
22 a couple of vacancies right now. And trying to make

1 sure we get the right work force with the right kind of
2 skills sets.

3 And then, of course, there is the
4 unanticipated request from Congress where last year, my
5 entire work plan went up in smoke because of
6 congressional requests. I am really hoping this year
7 that I can carry out this work plan, and that we have
8 smooth sailing. But one never knows what is ahead of
9 us that is unforeseen.

10 The work that is in progress right now is the
11 enforcement of the CRLA subpoena. We are working with
12 the Department of Justice on this.

13 We have an office of information management
14 audit ongoing, and one of the problems is the auditor
15 who was leading that audit is no longer with us, and so
16 we have had to back fill, and I -- my head of audit is
17 having to step in and do some of that work.

18 We are participating and coordinating in the
19 discovery request in the Oregon case. And we are
20 having an internal review of our confidential expenses.

21 There have been a handful of occasions where I have
22 had checks issued -- Mr. Richardson, our treasurer, has

1 issued checks to our organization without revealing who
2 the money is going to. We have had documentation.

3 And I have asked Mr. Merryman, my head of
4 audit, to conduct a review of the expenses, to assure
5 that they're appropriate, and if there are any process
6 improvements that we need, in terms of documentation,
7 records, correspondence met. When we're done with
8 that, I will share a copy of his review with you.

9 We are in the final stages -- we have a
10 discussion draft on our office of program performance
11 audit, and that should be issued within the week. And
12 as you heard from earlier today, the finance committee,
13 for those of you who were there, there is the -- we
14 continue in our oversight of the corporate audit.

15 In terms of deferred work -- actually, the
16 congressional request issues, there should be two
17 subsets: the corporate governance; and the role of the
18 acting special counsel. Because the Government
19 Accountability Office may be looking at some of the
20 same issues, we are going to be meeting with them and
21 determining who is going to do what.

22 So, I sort of stopped that work until we make

1 sure we aren't tripping over each other and we
2 both -- you know, we don't want to be doing duplicate
3 work. So that's on hold for the moment. It would
4 probably be clearer in the next month or two, what
5 we're doing in that direction.

6 And our CRLA investigation is pretty much on
7 hold until we get the kind of documents we need to
8 complete our job, and that won't happen until the
9 subpoena is enforced. But we -- nonetheless, with
10 CRLA, we are working closely with Karen Sarjeant and
11 the office of compliance and enforcement to coordinate
12 and -- who is going to do what. And there is a lot of
13 work that still can be done right now, and we are
14 working on that.

15 Our planned work. By the April meeting, we
16 will have a performance plan to share with you that
17 will -- for the year -- that will link our goals to the
18 five-year strategic plan that we issued in December.
19 We hope to issue a summary report on the LSC's
20 oversight of grantees, which will sort of culminate in
21 looking at the OCE audit we completed, the office of
22 program performance audit that we're about to issue,

1 and the office of information management audit. So, we
2 are hoping to issue what we call a tapping report, that
3 sort of summarizes it all together.

4 We will also be revising our audit guide and
5 compliance supplement. Those are the instructions that
6 we give to the independent public accountants who are
7 required to perform an annual audit of each of the
8 grantees that Congress put in the 1996 Appropriations
9 Act that's done under our direction and supervision.
10 We will continue to do the compliance work that
11 Congress has mandated.

12 What we have taken a slightly different tact
13 is we are actually visiting the independent public
14 accountants who do the reports, to find out what
15 they're actually doing, and see if they understand what
16 their -- what, particularly in the area of compliance,
17 what they're being asked to do, and get a better handle
18 on how to improve that process, and what other
19 information they need.

20 So, rather than visiting the grantees, we're
21 really just visiting the independent public
22 accountants. And the audit staff is doing that. We

1 will do any kind of review of grantee operations as
2 needed. That's kind of as things become known to us.
3 So we can't predict how much that would be.

4 One of the things we would like -- we're
5 going to start doing is some grantee fraud risk
6 assessments. I issued a fraud alert bulletin to the
7 field, I think it was in December, based on another
8 major embezzlement from a grantee.

9 And what we want to be doing is doing some
10 risk analysis and determining which the -- based on
11 information we have gotten, looking at the IPA reports,
12 which of the grantees might be most at risk. And not
13 to say anything has happened, but they might be at
14 risk, and to go and visit them, do an assessment of
15 their internal controls, and do a briefing on, "Here
16 are some steps you need to better protect your funds."

17 I mean, because it's just -- it's scary, as
18 we all know what a shoestring these programs operate
19 on. And to be -- lose \$30,000 or \$50,000 to an
20 embezzlement is -- that is losing an attorney position,
21 an entry-level attorney position or, you know, a
22 paralegal position, and it's devastating. So we will

1 be working with grantees on this.

2 We will, of course, continue to do the
3 oversight of the corporate audit. I issued the
4 semi-annual report to Congress, and do investigations.

5 We will also be doing a second internal
6 review, which is reviewing our internal controls. And
7 one of the things that, as an IG, I have to be willing
8 to do is have somebody -- you know, have someone come
9 in and look at my own work. And in this case, I am
10 doing this internally within my staff, but I have asked
11 Mr. Merryman to go look, and are there things that we
12 need to do to tighten up our own internal controls.

13 If it's nothing else, who is making sure that
14 my leave is charged appropriately, and that my travel
15 is reviewed appropriately, and to make sure we have
16 controls that -- I mean, I take care of my office, but
17 make sure that there are controls to assure the board
18 that, you know, I have the right controls in place, and
19 you be confident that I am doing things right. I think
20 I am, but I want to see if -- there may be some process
21 improvements that need to be done.

22 We also do our annual quality control

1 assessment of our processes, and that is the
2 independent referencing I have spoken to you about in
3 the past, that each of our products goes through a
4 review process by someone who hasn't worked on the
5 product, to ensure that there is documentation
6 supporting the information in each of our reports. We
7 will do our reviewing and commenting on legislation and
8 regulations, as things come up.

9 And the final thing that sort of goes back to
10 what I first said is that we will be working closely
11 with Mr. Jeffress in his next daunting task, which is
12 taking on the administrative manual, now that he has
13 tackled the personnel manual. We will be working with
14 him in a cooperative way, to try to get a manual that
15 is, you know, the best possible manual LSC could have.

16 That completes my report. If you have any
17 questions --

18 CHAIRMAN STRICKLAND: Questions for Kirt?
19 Mike?

20 MR. MCKAY: Mr. Chairman. The first item,
21 Kirt, your work in progress, 2006 work in progress, is
22 enforcement of the CRLA subpoena. You issued the

1 subpoena, and I'm assuming CRLA filed an action?

2 MR. WEST: No. CRLA has --

3 MR. MCKAY: How convenient for us.

4 MR. WEST: Yes, we have to go to the
5 Department of Justice, and they go into court and
6 enforce it. CRLA did not move to quash it, they have
7 just basically said, "We are not producing certain
8 documents."

9 MR. MCKAY: So it's a motion to enforce the
10 subpoena?

11 MR. WEST: Yes.

12 MR. MCKAY: And has that been filed?

13 MR. WEST: It has not been filed. We have
14 been in contact with the Department of Justice, the
15 federal programs branch, which does the actual
16 enforcement. And that will -- I can't tell you -- you
17 know, they move at their own speed, as you well know.
18 But we made the contact --

19 MR. MCKAY: Some move quicker than others,
20 for the record.

21 MR. WEST: And we're hoping that the same
22 attorney who worked on our previous case -- we have

1 talked to her, and she is available to do it, so
2 hopefully she will be assigned to us, since she knows
3 the issues.

4 MR. MCKAY: Thank you. And the attorney,
5 then, that assists you in this, the attorney for the
6 Department of Justice, is that service charged to your
7 budget?

8 MR. WEST: It's free.

9 MR. MCKAY: To you?

10 MR. WEST: Yes. There is no charge for the
11 Department of Justice representation.

12 MR. MCKAY: Thank you. And the third item on
13 that page is your office's participation in the Oregon
14 discovery. Could you explain briefly what rule that
15 is, and why your office would be involved in discovery
16 in that litigation?

17 MR. WEST: Because part of the discovery
18 request is for information in our possession.

19 MR. MCKAY: So it's a discovery request that
20 was imposed on you, as well?

21 MR. WEST: Right, right.

22 MR. MCKAY: Okay.

1 MR. WEST: I maybe should have been clearer.

2 It is --

3 MR. MCKAY: No, I certainly understand

4 that --

5 MR. WEST: That is the issue where we have
6 asked the Department of Justice to assist us, because
7 some of the information requests may contain
8 whistle-blower and other confidential information that
9 we would not share through management, but we would
10 be -- we would coordinate and produce, but we would
11 be -- have our own representation letter.

12 MR. MCKAY: Thank you.

13 CHAIRMAN STRICKLAND: Other questions for
14 Kirt? Tom, did you have --

15 MR. MEITES: Kirt, on your plan for 2007, you
16 are closing in on your summary report on LSC oversight
17 of grantees, the OCE. Our committee is going to spend
18 some time with a report from OCE. It seems to me it
19 would be helpful to have your report at that time, so
20 can you give us an idea of when that report will be
21 available?

22 MR. WEST: We have the report. We have

1 already issued an audit report on OCE and we
2 will -- last year -- and we will provide -- I guess it
3 was last year, it was last spring -- we will provide
4 that with you.

5 This would be looking at the overall how
6 everything fits in: OPP, OIM, and our office. I don't
7 think that will be done until the fall, at the
8 earliest.

9 MR. MEITES: Okay, so that we have your last
10 year's report, but we're not going to be able to use
11 the overall report until next -- it may be helpful, if
12 there are parts of that report that you think would
13 help our committee, to -- in its review -- if some of
14 that could be orally or --

15 MR. WEST: Well, whatever we can provide you,
16 we will.

17 MR. MEITES: Thank you.

18 CHAIRMAN STRICKLAND: Questions? Yes, sir.

19 MR. GARTEN: Kirt, could you bring us up to
20 date on the results of your meetings with the
21 independent certified public accountants in the field?

22 MR. WEST: If I could have Mr. Merryman come

1 up, I think he could give you more specific information
2 than I.

3 CHAIRMAN STRICKLAND: As an adjunct to that
4 question, could you also tell us about the implications
5 of Sarbanes-Oxley, relative to those independent public
6 accountants, and new accounting standards that we heard
7 about from Nancy Davis?

8 MR. MERRYMAN: Yes. For the record, my name
9 is Ronald Merryman, I am the assistant inspector
10 general for audit.

11 To answer the second question first, it would
12 be the same implication. There still have to be the
13 same increased coordination with the governance body of
14 each of the corporations, so that the CPAs can fulfill
15 the requirements of the standard. What form that will
16 take, the extent will depend on the particular
17 circumstances of each recipient.

18 Also, the standards that deal with increased
19 looking -- the increased review of internal controls
20 will also apply, all the new standards that Nancy
21 briefed, Ms. Davis briefed, will apply to all work that
22 the CPA field is doing.

1 CHAIRMAN STRICKLAND: Thank you.

2 MR. MERRYMAN: As far as the work that we are
3 doing -- I'm sorry, did you have another question?

4 MR. GARTEN: The question was what is the
5 status --

6 MR. MERRYMAN: Right.

7 MR. GARTEN: -- and what results, if any.

8 MR. MERRYMAN: The --

9 MR. GARTEN: And who -- how many have you so
10 far met with?

11 MR. MERRYMAN: We have -- in this current
12 cycle, we have completed 12 of the 46 that we plan on
13 completing this year, which is about -- 46 is
14 one-third, and we want to get on a 3-year cycle.

15 What we have done is try to look at,
16 generally, what they are doing, and also maybe some
17 more of the problematic types of areas. And what we
18 have been generally finding is that the IPAs have been
19 doing what's been asked of them, what's in the
20 compliance supplement that we publish.

21 We have had some issues where some items may
22 not have been done from some IPAs not widespread. For

1 instance, I can remember off the top of my head here
2 one where attorneys fees were collected, but the
3 supporting work paper, to analyze it, see if it met the
4 exceptions, those types of things, was not documented.

5 And they did not have a record of looking at it, as we
6 hoped they would have, in the instructions that were
7 provided. Isolated case, but it does happen from time
8 to time.

9 The biggest issue we find in the IPAs right
10 now -- and it's not system-wide, but the biggest issue,
11 the thing that occurs most frequently -- is
12 documentation, what they actually did. And especially
13 as it pertains to the number and the type of interviews
14 they're supposed to be having with staff, and different
15 levels of staff.

16 A lot of the information in the current
17 supplement really depends upon individuals -- or
18 individual interviews with staff. There is no way, in
19 a reasonable period of time, to -- probably, if there
20 is any restricted activity going on, to find those
21 cases in a small sample of 60. So they do spend some
22 time on the interviews, but those interviews aren't

1 well documented. And so it calls into question, you
2 know, how well are they really done? Did you ask the
3 right questions? So we're working with the IPAs.

4 What we hope to have is a best practices part
5 on our web page, as well as problems that we have been
6 finding, to alert all the IPAs on what we've been
7 finding.

8 We have instituted this year a follow-up
9 program, where we will go out the next year for the
10 areas that were problematic with certain IPAs, to
11 follow up, to make sure they understand that we do
12 consider it a problem. If it's significant enough, we
13 are coming back to make sure that it is done.

14 That is generally where we're at with the IPA
15 program right now.

16 MR. GARTEN: Are you reporting to the Agency
17 on the results of your --

18 MR. MERRYMAN: Yes. Yes, we are. Matter of
19 fact, what we do when we make the announcement, we send
20 the grantee a copy of the announcement letter, make
21 sure that they're well aware. We send a copy to OCE,
22 so they're well aware.

1 We do talk with OCE to try to, you know, make
2 sure we don't interfere with projects they have going
3 on, or you know, where they're going to be traveling
4 to, where we're going to be traveling to, and try to
5 coordinate those efforts. So it's more of an informal
6 thing right now.

7 But that's probably one of the things that
8 will come out in the capping report, is to -- how we
9 can best utilize the resources we have looking at this,
10 and do it in an efficient manner for the whole
11 organization.

12 MR. GARTEN: Are you getting cooperation from
13 each of them?

14 MR. MERRYMAN: We are, we are. We have not
15 had any problems with access. Over the holidays we had
16 some difficulties of contacting people because they
17 weren't there. But really, no issue whatsoever. We
18 have not been denied access, and we have not reached
19 any -- we have not seen any IPA where we have even
20 considered action, which we have the authority to
21 pursue.

22 MR. GARTEN: Thank you.

1 CHAIRMAN STRICKLAND: Tom Fuentes, did you
2 have questions?

3 MR. FUENTES: Yes. None on this
4 particular -- rather, back to Kirt, if we could.

5 On the matter of the CRLA, are all interface
6 responsibilities or actions contact pursuant to this
7 effort in the hands of your office presently, or is
8 there currently an ongoing involvement on the part of
9 management? Is it being done together? What -- can
10 you give us a little help on that?

11 MR. WEST: Well, I wish you had been here
12 yesterday morning, because I think you would have heard
13 from Karen, all the work OCE is doing. Yes, I mean, I
14 can tell you generally that we have been coordinating
15 with OCE. They, obviously, have the responsibility to
16 decide what action to take, if any, based on the
17 information we have provided to them. We are meeting
18 with them, sharing information.

19 I think we will be having a more detailed
20 discussion in closed session this afternoon, if we
21 could defer the rest of that until then.

22 MR. FUENTES: Thank you.

1 CHAIRMAN STRICKLAND: Any other questions of
2 Kirt?

3 (No response.)

4 CHAIRMAN STRICKLAND: Okay, Kirt. Thank you
5 very much for your report.

6 The next item is consider and act on the
7 report of the provision for the delivery of legal
8 services committee. Chairman David Hall?

9 CONSIDER AND ACT ON THE REPORT OF THE
10 PROVISION FOR THE DELIVERY OF LEGAL SERVICES COMMITTEE

11 MR. HALL: Thank you, Chairman Strickland.
12 The provisions committee had a very productive meeting
13 yesterday, and there are two items that I would like to
14 bring before the board.

15 One is an action item that we would like a
16 vote on. As you are aware, about a year ago, here in
17 Washington, we started a series of panel discussions or
18 presentations on private attorney involvement. We
19 continued those presentations throughout the year, and
20 had various individuals come before us and talk about
21 how we can get the private bar more involved in
22 providing legal services to poor people.

1 And instead of just hearing those reports, we
2 asked staff to develop an action plan. Karen Sarjeant
3 came before us yesterday. At our previous meeting she
4 gave us a preliminary indication of the action plan.
5 But she came before us yesterday and presented a full
6 action plan on private attorney involvement. Each of
7 you have received a copy of that.

8 We will be presenting it for approval by this
9 board, so I do want to highlight a few aspects of it,
10 and not go through it in detail.

11 First, the action plan, as Karen presented
12 it, is very consistent with the strategic directions of
13 the corporation that have already been embraced, and
14 that it relates very much to the directions that have
15 been identified. There are, in the action plan, some
16 new things that they are asking the board to do, and
17 certainly a lot of different things that the staff is
18 committing to doing, and institutionalizing.

19 From the board perspective, they are asking
20 us to continue our process that we have already
21 started, of trying to identify and recognize local
22 attorneys who are making a contribution in this area,

1 as we travel around the country. They are asking that
2 we: adopt the resolution at our next board meeting
3 highlighting the importance of private attorney
4 involvement, and that this resolution would be shared
5 with local bar associations, et cetera; that we, in our
6 individual capacities, would attend local and state bar
7 meetings, trying to raise the importance of private
8 attorney involvement in pro bono.

9 They are also asking that we form a joint
10 committee with the ABA pro bono committee, and explore
11 the possibility of a national pro bono day, which
12 would, I imagine, be held here in Washington, in
13 conjunction with other ABA activities, and that this
14 would be another way of highlighting, nationally, the
15 importance of pro bono.

16 And finally, from the board's list, is the
17 development of a pilot project that would enlist
18 faculty members at various law schools who, during
19 their sabbatical time, would try to provide their
20 insights and services to the corporation and also try
21 to address the gulf that at least some believe has
22 developed between the corporation and the legal

1 academy.

2 And clearly, the staff would be very
3 instrumental in helping us develop that pilot project.

4 The list of activities that the LSC staff would be
5 involved in is very numerous, and I won't go over all
6 of them, but just to highlight a few of them. But the
7 thrust of the action plan is to take the things that we
8 have learned through these presentations, and to now
9 institutionalize them in the day-to-day operation of
10 the corporation.

11 One, which is very important, is the
12 development of a program letter, which would be sent
13 out to grantees. Program letters are things that have
14 been used in the past in different areas, where the
15 corporation sends to the grantees a letter that
16 indicates best practices, that gives guidance about how
17 to institutionalize different programs, et cetera.

18 In this particular area, it would be focused
19 on private attorney involvement. We have learned a
20 whole lot from the presentations about what is the best
21 way to recruit attorneys to get involved, what is the
22 best way to keep them connected, how to avoid conflict

1 of interest issues, et cetera, and this program letter
2 would contain all of that, and it would be sent to our
3 grantees as something they could use and have.

4 Another highlight is now in program visits.
5 When the office of program performance or compliance
6 would be visiting our grantees, this would be an issue
7 that would be raised, would be looked at, to see how
8 the grantees are following those guidelines.

9 Certainly they are suggesting that: they
10 cooperate more closely with some organizations that
11 have expertise in this area like the ABA Center for Pro
12 Bono, also the ABA pro bono committee; that they will
13 also attend various conferences that have individuals
14 who would be the target population for this effort, and
15 try to promote these ideals at those various
16 conferences.

17 They are also in the process of trying to
18 develop an overarching message about the importance of
19 pro bono and private attorney involvement that we would
20 use as a way of communicating the importance and
21 significance of this. It would be a part of -- on our
22 website, it would be in our letters and other

1 communications that would go out.

2 M O T I O N

3 MR. HALL: So, I would like to move that this
4 action plan, developed by staff, which is a product of
5 the information we have received and the presentations
6 we have received, be adopted by this board, with the
7 understanding that some of these issues require some
8 additional work and refinement, but that the spirit of
9 these action items are things that we believe we should
10 be moving forward on.

11 MR. MEITES: So moved.

12 CHAIRMAN STRICKLAND: All right. Is there a
13 second to the motion?

14 MR. GARTEN: Second.

15 CHAIRMAN STRICKLAND: Any further discussion?

16 (No response.)

17 CHAIRMAN STRICKLAND: All --

18 MS. BEVIER: Mr. Chairman?

19 CHAIRMAN STRICKLAND: Yes, ma'am?

20 MS. BEVIER: I just want to say that I am
21 absolutely thrilled at the presentation yesterday. I
22 thought it was wonderful. I think the work that the

1 staff has done has been just exactly what it is that
2 they were charged to do, and that the board has been
3 very well served by this. And I think that the Legal
4 Services Corporation is well served.

5 And I congratulate you, David, and your
6 committee, for going forward with this. I think it's a
7 terribly important initiative, and I am very happy to
8 support the plan and the motion. So, congratulations
9 to you, Karen, and to you, David. It's really
10 terrific.

11 CHAIRMAN STRICKLAND: Well said.

12 MR. HALL: Thank you.

13 CHAIRMAN STRICKLAND: Tom?

14 MR. MEITES: I would just like to express one
15 part of the plan, which I think is in some ways an
16 untapped resource. That as I understand the
17 plan -- and I wholeheartedly support it -- it is to
18 bring to private attorneys a wide variety of tools and
19 encouragement to further their participation. That's
20 the character.

21 The stick is the state supreme courts. And
22 as I mentioned yesterday, I urge both the board and

1 staff, with other organizations such as the appropriate
2 ABA committee, to reach out to organizations such as
3 the conference of chief justices, as stated on page two
4 of the strategic plan, to do what -- urge the state
5 courts, state supreme courts, attorney registration
6 entities in those states, to make available to the
7 attorneys information that would lead -- would direct
8 them to our grantees and other organizations who need
9 pro bono help.

10 The example I gave yesterday is that my state
11 now has a little questionnaire of how many hours do you
12 spend on pro bono. And at that guilt-inducing moment,
13 if I had a list of entities that need pro bono help, I
14 might have picked up the phone. That's the kind of
15 very practical steps that I think our staff, working
16 with entities like the ABA, could help state supreme
17 courts.

18 CHAIRMAN STRICKLAND: Herb?

19 MR. GARTEN: Tom, I think a majority of the
20 states in this country, commissions have been formed by
21 the supreme court or the court of appeals of the state
22 to go and discuss this, and even appoint judges at a

1 local, county level, to encourage pro bono.

2 So that David, you're going to coordinate
3 things with the ABA pro bono committee that's very
4 involved in this, and you're going to find that though
5 much has been done in this area, there is much to be
6 improved upon.

7 But we have already got road maps in many,
8 many states to accomplish what you're suggesting, Tom.

9 MR. HALL: And clearly, the spirit of
10 this -- and one of the groups that I didn't mention was
11 the Equal Justice Commission, our chairpersons, when
12 they come together as a conference -- and staff plans
13 to be there to make presentations to work, you know,
14 with them.

15 So I do think we have some inroads to that
16 constituency, and I don't think the spirit of this is
17 to reinvent the wheel, but to work with those who
18 already have the expertise, but to leverage the
19 position of LSC in trying to move this forward. And I
20 think that is the unique aspect of it.

21 CHAIRMAN STRICKLAND: Any further discussion
22 on the motion?

1 (No response.)

2 CHAIRMAN STRICKLAND: All those in favor of
3 the motion, please say aye.

4 (Chorus of ayes.)

5 CHAIRMAN STRICKLAND: Opposed, nay?

6 (No response.)

7 CHAIRMAN STRICKLAND: It's a unanimous vote,
8 and the motion is adopted. Anything else, David?

9 MR. HALL: Yes. I want to also highlight a
10 little bit of our second item that was on the agenda.

11 As you are aware, this body, in some way,
12 initiated a new project called the "LSC Leadership
13 Mentoring Pilot Project," which came about going way
14 back through a conversation between you, Chairman
15 Strickland, and Lillian Johnson, which she took and
16 developed a preliminary proposal for this pilot
17 project. And that was presented to Provisions quite
18 some time ago.

19 And then, Helaine, under her leadership,
20 moved that into an actual project, and program, and
21 what we received yesterday was a report from various
22 constituencies about how that pilot project has played

1 itself out. And I just want to highlight a few aspects
2 of that.

3 We first heard from the African American
4 Project Directors Association. Lillian Johnson, Don
5 Isaac, and Joan Howard came before us to -- basically,
6 I think -- thank the corporation and the board for
7 having embraced this project, and indicating how
8 meaningful it has been, not only to their association,
9 but to the grantees in the field in general.

10 They also shared with us how the creation of
11 this project on a national level has allowed them to go
12 and advocate for this same type of project in their
13 home states. And two examples were given to us of how
14 that has come about, one in Florida and the other in
15 Michigan.

16 And so, they were very appreciative and
17 thankful for this project, and to the point that they
18 even presented Helaine and the board with a plaque, and
19 one of the plaques is still here. And so they really
20 feel that our investment in this project was very
21 important.

22 We then heard from staff at LSC, those who

1 had been involved in helping design this, because it
2 became clear from the presentation that this was not a
3 project just put together at the last minute, and
4 premised on goodwill, but that a lot of thought went
5 into it.

6 So, Ivora Thomas and Althea Hayward both came
7 to talk a little bit about the development. Ivora
8 talked about all that went into the development of the
9 project, and it was clear that it was a very deliberate
10 and thoughtful approach around mentorship, the
11 development of some core values that the mentors and
12 mentees would operate by, and just the entire design of
13 the program was very extensive, and something that
14 staff, here at the corporation, invested a lot of time
15 into, and certainly are very proud of what they
16 produced.

17 Ms. Hayward shared with us the evaluation
18 perspective that this -- because it is a pilot project,
19 and we are hoping to learn a whole lot from it, that
20 they have spent a lot of time thinking about how they
21 are going to evaluate it. There is data that has been
22 collected and is being collected, both from the mentors

1 and the protegees. They are trying to see what type of
2 impact this training has had on both -- that is, the
3 mentor and the protege -- and how it affects the
4 quality of the work that is being done by our grantees.

5 They are conducting interviews, there are
6 forms that are being developed that will provide all of
7 this data. And they are hoping to have a draft report
8 of at least the information that they are pulling
9 together by the end of March. And some time after
10 that, we will have a report that hopefully we will be
11 able to see that will be a full evaluation of this
12 pilot project. And it is -- I think that report will
13 also suggest what are some next steps and
14 recommendation.

15 And although those were very important
16 presentations, I think the highlight of the second
17 issue was that we had three sets of protege mentors who
18 came before us, and I think I have all of them.
19 Claudia Johnson and Lillian Moy was one group. Peggy
20 Lee and Guy Lescault, and then Tanya Douglas and
21 Allison Thompson.

22 What was unique about these pairs is that

1 these were not individuals who were all in the same
2 city or the same state. They were people in different
3 geographical areas who had been paired up. They were
4 individuals very diverse along racial lines, gender
5 lines. They were individuals who had to struggle with
6 how to make these relationships work, despite the time
7 constraints and the geographical distance.

8 And it was uniformly their response that this
9 pilot project had had a positive impact on their lives.

10 Many of them -- and this was even the mentors
11 indicated how serving as a mentor improved their
12 understanding of what it means to be a leader, that
13 they learned a lot from individuals who they probably
14 never would have met, but for this particular project.

15 And certainly, the protegees shared a whole
16 lot about how it has just empowered them, had them
17 thinking about leadership in ways that they were not
18 thinking about before. One mentioned that the set of
19 core values for leadership is something she looks at
20 each day, and it's something that has guided her. So,
21 uniformly, they felt that this was a very good
22 experience.

1 The question was asked to the mentors about
2 the burden that comes from taking this task on, despite
3 the fact that you have other responsibilities. And
4 their response was very clear, that this was not a
5 burden, but something that is just critically
6 important, based on the fact that many of those
7 individuals who are in leadership positions now are
8 going to be retiring or moving on in the near future,
9 and they are very concerned that the future leadership
10 is diverse, and that if they are not willing to take
11 the time to do that now, that that's not going to
12 happen.

13 So, through that lens, they saw it not as a
14 burden, but as a necessity. So the provisions
15 committee was very proud of the fact that a project
16 that this board in essence cultivated, was embraced by
17 management, and took -- and taken seriously by
18 management, and now it is having such a positive
19 impact.

20 So there will certainly be some future
21 reports after the evaluation is done about next steps,
22 but it's clear that this has been a successful

1 endeavor, from all reports that we have received thus
2 far.

3 There was no public comment or other business
4 that came before the provisions committee, so this is
5 the end of our report.

6 CHAIRMAN STRICKLAND: Thank you very much,
7 David. And those of us who were present for the
8 stories told by the mentors and proteges I think were
9 very much moved by that. It was a great presentation.
10 So thank you for having that group join us for this
11 meeting. Any other questions for David?

12 (No response.)

13 CHAIRMAN STRICKLAND: Mike, the next item up
14 is the finance committee report. You think you can
15 deal with that before lunch?

16 MR. MCKAY: I sure can. You're giving me
17 eight minutes, are you?

18 CHAIRMAN STRICKLAND: Well, no, I will give
19 you as much time as you need.

20 MR. MCKAY: Okay, I can do it in eight
21 minutes.

22 CHAIRMAN STRICKLAND: I just --

1 (Laughter.)

2 CONSIDER AND ACT ON THE REPORT
3 OF THE FINANCE COMMITTEE

4 MR. MCKAY: Everyone was here this morning
5 for the finance committee. I don't think Sarah
6 listened in, but -- so I will more briefly summarize
7 what took place this morning.

8 And we had a very good meeting. It began
9 with a presentation on our 2006 annual financial audit,
10 primarily from Nancy Davis, who is with M.D. Oppenheim.

11 She invited to our attention new auditing standards,
12 particularly auditing standard number 114, which will
13 require a more active role of the governing
14 body -- that is us -- in the audits.

15 That will not be implemented for another
16 year, but we have this year to prepare for it, and we
17 will receive a copy of that new auditing standard that
18 we can study, and perhaps two or three meetings from
19 now we can meet with her again and begin preparing for,
20 and deciding how to handle that.

21 She did invite to our attention a particular
22 issue with LSC, and that is an improvement that is

1 taking place, but additional improvement is needed to
2 account for fixed assets. That will be contained in
3 the audit letter, and perhaps we, as a committee, can
4 continue to monitor that, as well.

5 We then heard from Mr. Richardson and Mr.
6 Jeffress. It was a financial report for the first two
7 months of 2007. They reported that we were within
8 budget, but that clouds were on the horizon. That is,
9 that as we begin to fill the vacant positions, and as
10 we increase the number of compliance and program site
11 visits, spending is going to go up.

12 And we then addressed the subject of revising
13 the temporary operating budget for Fiscal Year 2007.
14 Mr. Richardson informed us that recognizing that we had
15 carryover funds from 2006 and 2007, and that we will be
16 spending more, and we hope to have some money to carry
17 over into 2008, that certain adjustments should be
18 made.

19 And one of them is contained in the
20 resolution number 2007-001, that everyone has in front
21 of them, that would -- that is a proposed temporary
22 operating budget that reduces spending by \$400,000,

1 which would increase the carryover, take that \$400,000
2 to carry over into 2008 to address the anticipated
3 increased spending.

4 M O T I O N

5 MR. MCKAY: So, we heard the presentation, we
6 had questions about that. And then we did recommend
7 this resolution. So I do propose the adoption of
8 resolution 2007-001, revised temporary operating budget
9 for Fiscal Year 2007.

10 CHAIRMAN STRICKLAND: Is there a second to
11 that motion?

12 MR. GARTEN: Second.

13 CHAIRMAN STRICKLAND: Any discussion on the
14 motion?

15 (No response.)

16 CHAIRMAN STRICKLAND: All those in favor,
17 please say aye.

18 (Chorus of ayes.)

19 CHAIRMAN STRICKLAND: Those opposed, nay.

20 (No response.)

21 MR. MCKAY: We then heard from Mr. Richardson
22 and Mr. Jeffress on the issue relating to the 2008

1 appropriation request. And we reviewed what happened
2 last September. We studied the spending on the
3 management administration line, and we collectively
4 decided it would be best that we include in our
5 appropriate request \$12,825,000 for Fiscal Year 2008.

6 Management had the chance to reflect upon
7 that, and look at the spending practices, and
8 anticipated spending practices into 2008 -- and again,
9 as I indicated, the filling of vacant positions, the
10 increase of site visits by compliance and program
11 shops -- and it was their belief that our appropriation
12 request should be increased by \$1 million. That is,
13 from \$12,825,000 to \$13,825,000, for that M&A line.

14 And I remind the board that the \$13,825,000
15 is less than the original request from management to
16 the committee last September. That number was \$14.5
17 million. And so, what this resolution would do would
18 be adjusting it to \$13,825,000. There was some
19 discussion about that as well.

20 M O T I O N

21 MR. MCKAY: And I do then present to the
22 board the resolution that was approved by the committee

1 unanimously, resolution number 2007-002, revised budget
2 marked for Fiscal Year 2008, and I move the adoption of
3 the resolution.

4 CHAIRMAN STRICKLAND: Is there a second to
5 that motion?

6 MR. GARTEN: Second.

7 CHAIRMAN STRICKLAND: Any discussion?

8 (No response.)

9 CHAIRMAN STRICKLAND: All in favor --

10 MR. FUENTES: Mr. Chairman?

11 CHAIRMAN STRICKLAND: Yes, sir?

12 MR. FUENTES: I would just like to speak to
13 it. I cast an abstention on this item, mainly for
14 the -- it seems to me a bit of false urgency. I think
15 we could have had more time to review this, maybe a
16 meeting, special meeting by telephone call even
17 downstream, would have allowed us to address this with
18 a little more knowledge. And I wanted to clarify, for
19 the record, that that was my concern.

20 I think as it moves forward here, with the
21 recommendation of the committee, I am not going to
22 oppose it. But on the other hand, that was my concern,

1 just in the process. And I think that it's not
2 anybody's in particular fault, I think it's just the
3 way things happened.

4 MR. MCKAY: Mr. Chairman?

5 CHAIRMAN STRICKLAND: Yes, sir.

6 MR. MCKAY: I fully embrace Mr. Fuentes's
7 comments, and I just indicate that I had some very
8 productive conversations with President Barnett and Mr.
9 Jeffress and Mr. Richardson about that, and agree with
10 you, and agree with everything, obviously.

11 We are not imputing any bad intent or
12 slothfulness, but it is important for us to do our job.

13 And it would be -- would have been -- it's easier for
14 us to make a decision if we have more time to look at
15 it. And I, as chair, will do a better job to try to
16 make sure that we get that stuff sooner.

17 MR. FUENTES: Thank you.

18 CHAIRMAN STRICKLAND: Any further discussion
19 on the motion?

20 (No response.)

21 CHAIRMAN STRICKLAND: All those in favor,
22 please say aye.

1 (Chorus of ayes.)

2 CHAIRMAN STRICKLAND: Opposed, nay?

3 (No response.)

4 CHAIRMAN STRICKLAND: And the resolution is
5 adopted. And just to clarify the record, the vote on
6 resolution number 2007-001 was unanimous, and that
7 resolution was also adopted. Go ahead.

8 MR. MCKAY: Thank you. We heard from Mr.
9 Jeffress, who gave a report on LSC travel regulations
10 that is -- he gave some highlights -- that is still in
11 progress, and we will get a more formal report at a
12 later meeting.

13 We also heard from Charles on the progress
14 and the comparison of other federal spending
15 practices -- that is, above and beyond the travel -- to
16 LSC spending practices, highlighted some key issues.
17 That also is in progress, and we will hear from him and
18 his colleagues at a subsequent meeting.

19 Finally, we heard from Mr. Fortuno and Mr.
20 West on the subject of the adoption of budget
21 guidelines. The -- we had -- the old budget guidelines
22 had grown a tad bit stale. The practices of the -- of

1 management had gradually drifted away from what was in
2 writing. And the language could have improved, anyway.

3 So the management and the IG's office worked together
4 to come up with new guidelines.

5 There was a particular issue with regard to
6 the role of the board, vis a vis IG's budget. That has
7 been worked out. We had -- that was in paragraph nine.

8 That agreed-upon language was presented to the finance
9 committee, and after discussion, approved the budget
10 guidelines.

11 M O T I O N

12 MR. MCKAY: So, I do move the adoption of the
13 budget guidelines. There is no page number on them,
14 but I think everyone has them. It was submitted to us
15 after we got our board book. And so I move the
16 adoption.

17 CHAIRMAN STRICKLAND: Is there a second?

18 MS. BEVIER: Second.

19 CHAIRMAN STRICKLAND: Any further discussion
20 on the motion?

21 (No response.)

22 CHAIRMAN STRICKLAND: Hearing none, all those

1 in favor please say aye.

2 (Chorus of ayes.)

3 CHAIRMAN STRICKLAND: Opposed, nay.

4 (No response.)

5 CHAIRMAN STRICKLAND: It is adopted.

6 MR. MCKAY: Thank you. And that is the end
7 of my report.

8 CHAIRMAN STRICKLAND: Well done. And I think
9 that brings us to the time to take a recess for lunch.

10 So let's try to reconvene at 1:00.

11 (Whereupon, at 12:03 p.m., a luncheon recess
12 was taken.)

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1 A F T E R N O O N S E S S I O N

2 CHAIRMAN STRICKLAND: I will call back to
3 order the January 20, 2007 meeting of the board of
4 directors of the Legal Services Corporation. The next
5 item on our agenda is consider and act on the report of
6 the operations and regulations committee. And Chairman
7 Tom Meites?

8 CONSIDER AND ACT ON THE REPORT OF
9 THE OPERATIONS & REGULATIONS COMMITTEE

10 MR. MEITES: Thank you, Mr. Strickland.

11 MS. SINGLETON: I'm sorry, I couldn't
12 understand what you just said.

13 MR. MEITES: Okay. I said I thank Frank.
14 And I will proceed.

15 The ops and regs committee had a very
16 ambitious agenda for this meeting, and our eyes were
17 bigger than our stomach. We were unable to complete
18 work on a number of items of our agenda. But I will go
19 through the items and give the board an update.

20 The first item on our agenda was to consider
21 and act on a draft final rule revising 45CFR part 1621,
22 the client grievance procedure. We received a thorough

1 review of events and comments since our last
2 consideration of this rule. We went through the rule
3 with staff, section by section. We satisfied ourselves
4 as to the detail and breadth of comments that were
5 received.

6 We heard from a client and representative of
7 clients, Ms. Rosita Stanley. She made a very helpful
8 and enlightening presentation on the client community's
9 concern with a particular change, the deletion of the
10 phrase "effective remedy" from the proposed regulation.

11 Ms. Stanley explained to us that the phrase was
12 important to the client community, as it symbolized the
13 goal that the remedy -- that it was important that
14 clients be offered a remedy, a procedure, through the
15 grievance process that was -- would prove to be an
16 effective solution to the problem.

17 In light of Ms. Stanley's comments, our
18 committee directed the staff to attempt to restore the
19 effective remedy phrase and idea into the draft, which
20 was done. We made one other small change from the
21 materials you had. We moved the word "practical" from
22 a dependent clause into an adjectival modified

1 position.

2 (Laughter.)

3 MR. MEITES: Important to some of us, perhaps
4 more than to others of us.

5 And having made those two changes, our
6 committee unanimously resolved to recommend to the
7 board that the rule you have, or the draft rule you
8 have in your board book be approved, and that the board
9 direct that it be -- that the staff be authorized to
10 publish the rule, as revised, as a final rule.

11 Let me state for the record what the two
12 changes are, so that the board will know exactly what
13 is at issue. I direct you to section 1621.1 --

14 CHAIRMAN STRICKLAND: Can you give us a page
15 reference in the book?

16 MR. MEITES: Maybe the redline, I'm looking
17 at the redline, which is page 77.

18 CHAIRMAN STRICKLAND: Okay.

19 MR. MEITES: That's what I work from. And in
20 1621.1, there is a green sentence at the end, that the
21 green sentence be revised to read as follows, "This
22 part is further intended to help ensure that the

1 grievance procedures adopted by recipients will result,
2 to the extent possible, in" -- and here is the
3 revision -- "in the provision of an effective remedy in
4 the resolution of complaints."

5 You want me to repeat that again, just the
6 end part? "Adopted by recipients will result, to the
7 extent possible, in the provision of an effective
8 remedy in the resolution of complaints." That is the
9 first change that our committee would make in the
10 proposed rule.

11 The second change is in section 1621.3. You
12 will see in your board book that five lines down there
13 is the phrase "as practical." That -- those words are
14 deleted, as is the comma after "complaint."

15 So, it's "complaint;" and in addition, in the
16 third line down, the word "practical" is inserted
17 before the word "method," so that the second sentence
18 of proposed 1621.3 would now read as follows, "The
19 procedures shall, at a minimum, provide a practical
20 method for the recipient to provide applicants with
21 adequate notice of the complaint procedures and how to
22 make a complaint; and an opportunity for applicants to

1 confer with the executive director or the executive
2 director's designee, and, to the extent practical, with
3 a representative of the governing body."

4 M O T I O N

5 MR. MEITES: And with those two changes, I
6 would move on the basis of our committee's action, that
7 the board approve the proposed regulation as revised,
8 and authorize staff to publish it as a final rule.

9 CHAIRMAN STRICKLAND: Is there a second?

10 MR. HALL: Second.

11 CHAIRMAN STRICKLAND: Any discussion on the
12 motion?

13 (No response.)

14 CHAIRMAN STRICKLAND: Hearing none, let us
15 proceed to a vote. All those in favor, please say aye.

16 (Chorus of ayes.)

17 CHAIRMAN STRICKLAND: Those opposed, nay.

18 (No response.)

19 CHAIRMAN STRICKLAND: The ayes have it, and
20 the motion is adopted.

21 MR. MEITES: Thank you. The next item was
22 a -- in the nature of a document provided by Vic in

1 response to our request. It is a history of the
2 implementation of our regulations in response to
3 various restrictions in LSC acts and our yearly
4 appropriations. That was just a document submitted.

5 There was no discussion, save that we asked
6 Vic to add to his listing the citations to the sections
7 involved.

8 The third item -- I'm sorry, item -- the next
9 item we considered was consider and act on adoption of
10 a regulatory agenda for our committee for the year
11 2007. We had received a memo from the OIG, suggesting
12 a number of regulations that, in its view, should be
13 changed.

14 Because of the holidays and the shortness of
15 time, we had directed the staff that it need not
16 respond to these proposals by this meeting. Instead,
17 we have determined to defer consideration of this item
18 to our next meeting, and to -- and at that time, to
19 invite the staff to respond, as well as we -- as asking
20 the public to submit any comments.

21 Now, we determined, by the way, that we will
22 have another meeting of our committee before the April

1 board meeting. Now, the time and place is not yet
2 determined, but it is likely to be towards the end of
3 March.

4 The next item was consider and act on
5 adoption of personnel manual. The sense of the
6 committee was that members of the committee needed more
7 time to review the manual, and we have also deferred
8 that to our special meeting.

9 Finally, we also are -- the next item on the
10 agenda was to consider and act on response to the OIG
11 fiscal practices report recommendation, regarding
12 locality pay for LSC president.

13 And actually, the issue is broader now than
14 LSC president. It is the appropriateness of locality
15 pay to senior managers of -- the need for anybody at
16 LSC who is in a managerial rank. This issue is quite
17 technical, involves review of a number of statutory
18 provisions and regulations.

19 We noted that both Kirt and Vic themselves
20 are recipients of locality pay, or eligible for
21 locality pay, and which raised issues of the appearance
22 of a conflict of interest. And I think the sense of

1 our committee is we will need outside help to work with
2 this. There was a suggestion that we go to the
3 controller general.

4 I think the sense of the committee is that it
5 may be more appropriate, since we are not asking for an
6 opinion on how a government agency would handle this,
7 but an opinion of how a unique entity like ours can
8 work with the various government directives as a guide,
9 that we might prefer to have outside counsel retained
10 to advise us.

11 But with that issue open, we asked Vic and
12 Kirt to continue discussing this issue, in the hope
13 that they can arrive at some kind of a solution to
14 allowing us to retain locality pay, or somehow to keep
15 our present pay structure intact. And this item we
16 also deferred to our special meeting. That completes
17 our report.

18 CHAIRMAN STRICKLAND: Thank you very much.

19 Any questions of Tom?

20 (No response.)

21 CHAIRMAN STRICKLAND: All right. The next
22 item is a staff presentation on LSC's technology

1 initiative grants. And Mike Genz and Glenn Rawdon, and
2 anybody else? Oh, yes, Joyce?

3 MS. SINGLETON: Frank, could you say again
4 who is making the presentation?

5 CHAIRMAN STRICKLAND: Glenn Rawdon, Mike
6 Genz, and Joyce Raby.

7 MS. SINGLETON: Thank you.

8 CHAIRMAN STRICKLAND: It will be a Power
9 Point presentation, but I presume they're going to have
10 an explanation as they go through the Power Point. Is
11 that right, Glenn?

12 MR. RAWDON: That's correct.

13 STAFF PRESENTATION ON LSC'S
14 TECHNOLOGY INITIATIVE GRANTS

15 MR. GENZ: Good afternoon, Mr. Chairman,
16 members of the board. I am Michael Genz, director of
17 the office of program performance. And it's my honor
18 today to introduce two presentations of good work done
19 by OPP.

20 The first is the technology initiatives
21 grants program. We are very proud of the new
22 capacities that this program has made possible. Joyce

1 Raby and Glenn Rawdon will be making our presentation
2 today. As you may have heard, they are fresh back from
3 icy Austin, and the very successful -- although very
4 complicated and hard -- conference that we just had.

5 Feel free to ask them about it, but beware if
6 you do, because they will tell you. And it will take a
7 while.

8 (Laughter.)

9 MR. GENZ: They will give an overview of
10 TIG's major areas of funding, and they are going to
11 discuss several important new grants, and the promise
12 that they hold. Glenn?

13 MR. RAWDON: Thank you very much for the
14 opportunity to be here today. It's been a couple of
15 years since we were able to make a presentation to the
16 group on TIG, and we're very excited to bring you up to
17 date, and kind of give you some information.

18 As a little background, we wanted you to know
19 about the evolution of the TIG funding. What you will
20 see there is a representation of the TIG funding in the
21 early 2000 and 2001 years. And apparently, we pulled
22 up the wrong Power Point, I'm sorry. Your slide will

1 be slightly different in the one that you have.

2 What we wanted you to see is that in the
3 early years of TIG, we were funded at very large
4 levels. The first year was \$4.2 million, the second
5 year was \$7 million. And since then, the amount of the
6 TIG funding that we have received has steadily
7 declined. And we do not feel that this is a reflection
8 on what TIG has been accomplishing, but this is merely
9 part of the budgetary process.

10 We did want you to be aware, as you received
11 in your board report, that there is a comprehensive
12 evaluation that is almost completed on the TIG funding
13 so far that will soon be available. And we think that
14 the results of TIG so far have been just outstanding,
15 that so much has been accomplished that the diminution
16 of the funding is not a reflection on what has been
17 accomplished by TIG, that this has just been part of
18 the budgetary process, and so we don't feel that that's
19 a reflection.

20 But it is a reality. And so, because of
21 that, we have had to make changes in what we have done
22 with the funding.

1 As you can see from this chart, in the early
2 years of TIG we had some large categories there of
3 infrastructure and intake that were used for statewide
4 systems. We had many grants that would be as high as
5 \$450,000 to a single state, to help them with their
6 infrastructure and their intake systems. And this was
7 very useful in building the foundation for many of the
8 follow-up projects that we did with TIG.

9 But as the funding has been reduced, we have
10 had to re-examine what we concentrate on, and how we do
11 this. But to do this, we spent lots of time talking
12 with the field about this. President Barnett has been
13 attending the past TIG conferences and conducting
14 meetings with the recipients there, and other programs
15 represented. And we got very good input from them, and
16 their suggestion was that we emphasize the national
17 efforts and the websites.

18 And so, that is what we have been doing. And
19 we have been looking at some national projects, such as
20 the HotDoc Server, and Legal Meetings, which is an
21 online WebX meeting center that we will talk about a
22 little bit later, that are available to all the

1 programs across the entire country at little or no cost
2 to them, so that we are leveraging the money that we
3 get from TIG so that with the reduced funding, we can
4 spend it on projects that benefit the most people for
5 the least investment.

6 We have also been working on partnerships to
7 obtain other funding, and we will talk some more about
8 that in a minute, as well. Sorry, our mouse was
9 working.

10 (Pause.)

11 MR. GENZ: So, what we have done the last two
12 years, as you will see, we have refined the funding so
13 that websites and pro se efforts are, by far, the
14 majority of the funding, with technical assistance such
15 as the NTAP and the Legal Meetings.

16 But the large grants for infrastructure and
17 intake, we simply can't afford to do those any more.
18 And so, the emphasis has been greatly reduced on those.

19 MS. RABY: So since we -- our website
20 initiative takes up such a large portion of our annual
21 funding, we thought it best to begin with the grants
22 that affect those websites.

1 The statewide websites -- I want to give you
2 just a little bit of a background -- are built,
3 essentially, on two different templates. The creation
4 of templates allowed us to provide comprehensive,
5 multi-program websites at a relatively low cost.

6 The fundamental difference between the two
7 templates is the amount of flexibility you have in
8 customizing the look and feel of the website. There is
9 a probono.net template, referred to here in the slide
10 as the PBN template. It provides a well-developed
11 structure designed to allow users with little website
12 development expertise to quickly and easily create and
13 publish content. This highly structured solution,
14 however, sort of minimizes the amount of possible
15 customization.

16 The open source template, referred to in the
17 slide as OST, provides a great deal of flexibility in
18 the design and implementation of the website. Its less
19 structured format allows for significant customization.

20 However, this requires that the program foster website
21 development expertise in order to successfully
22 implement the template.

1 The two grants that are referred to here will
2 benefit all of the programs that are using the
3 statewide websites. They are specific to each
4 template. The one to Colorado Legal Services is going
5 to improve the search capabilities of the PBN template.

6 This is by three fundamental things:
7 incorporating more natural language in searching; and
8 improving the results that you get from your search for
9 when you put it in; and also, improving the
10 search -- additional search results enhancements, which
11 increase the likelihood that users will get information
12 that is relevant to the information they're looking
13 for.

14 The one to Legal Aid of Bluegrass is for the
15 OST community. It is to improve the range of
16 statistical data available regarding website usage.
17 One of the things that has happened since those were
18 all implemented independently is it's not possible at
19 this point to sort of aggregate statistical data across
20 the community, and this project will allow us to do
21 that.

22 Okay. So, I want to just tell you a couple

1 of things about the Circuit Rider Grants. We have been
2 funding Circuit Riders for a couple of years now, both
3 for the probono.net template and for the open source
4 template. It's proven to be a very successful method
5 of ensuring continued and ongoing progress in the
6 development not just of the websites themselves, but
7 also the creation and facilitation of a peer community
8 that shares the expertise and best practices developing
9 around each one of the templates.

10 The website enhancement grants themselves are
11 actually a really good example of this kind of peer
12 community. Typically, each peer group gets together,
13 decides what enhancements they would actually like
14 created in the templates, and then prioritizes that
15 list and works within the community to select a
16 program, who then applies for the grant on behalf of
17 everyone within the community. So it's a very
18 collaborative, very community-based process.

19 The Circuit Riders serve as these
20 facilitators within these groups, and often are
21 referred to as the glue that binds that community
22 together. There are currently 28 states using the

1 probono.net template. There are 23 states using the
2 OST template.

3 All of the 28 states using the probono.net
4 template have live public sites, and 22 out of the 23
5 of the OST template have live public sites. The only
6 reason that there is one missing is he got his first
7 year website grant starting last year. So they are now
8 rapidly beginning to implement.

9 MR. RAWDON: We will move on to the National
10 HotDoc Server.

11 Now, you may remember -- we have talked about
12 this before, a few years ago -- we got a generous
13 donation from Lexus/Nexus to do a document assembly
14 server on a national scale. And we have been funding
15 this through TIG through the last several years. And
16 this year, we're going to continue the funding of this
17 project through a grant to Ohio Legal Services. We're
18 going to expand the project management, which is being
19 shifted over to probono.net.

20 Part of our efforts to sustain these projects
21 is to look for ways that they can be managed by other
22 entities, other than our programs. And so, probono.net

1 is taking over this.

2 They are also going to be having circuit
3 riding, which is going to be funded by the State
4 Justice Institute, so that the courts that want to work
5 with us, we're encouraging courts to partner with us on
6 court forums, like they're doing in Idaho, like they're
7 doing in California, like they're doing in New York and
8 Minnesota, to work with us, with our server, to do
9 this.

10 And so, we want to have some support for
11 them. So SJI is funding that portion, and we will talk
12 a little bit more about the SJI contribution in a
13 minute.

14 We are also going to provide virtual and
15 in-person trainings that will support our people in
16 learning how to do this. Now, HotDocs delivers
17 automated forms that pro se users can log in to the
18 server, find a form that's appropriate for their legal
19 action that they need. And then, by going through a
20 series of questions online, if they answer those
21 questions, then when they finish they will get a
22 document that is able to be filed in their court to

1 take care of that.

2 And because we're getting more usage, we're
3 going to increase the technical capacity of the server,
4 as well.

5 Another enhancement we're really excited
6 about is through a grant to Indiana Legal Services.
7 And they will be creating a Spanish language portal
8 using HotDocs, so that when we have developed a form in
9 English and we want to then deliver it to the Hispanic
10 population, this will make it easier for people to
11 convert the questions that have been done in English to
12 Spanish, so that we will have, like, a library of
13 questions so that each individual program doesn't have
14 to have each individual form translated, because what
15 they will need is an English form, but they will need
16 the interview process to be in Spanish. This will
17 greatly save people time, in making their forms
18 available in Spanish.

19 The other project that we have been working
20 on for some time is what we call the A2J, or Access to
21 Justice, Author. And this is a very pro se-friendly,
22 kind of an I-CAN! type of interface that is done and

1 delivered over the web. And, we got an additional
2 grant on this that will improve the ability to use
3 this.

4 Many of the courts like this -- or many of
5 our programs, as well -- better than they like the
6 native HotDocs thing. It uses, basically, some figures
7 that walk along a map, the road to the courthouse. And
8 so, we're enhancing this capacity as well, through this
9 grant that we're doing to Western New York.

10 And also, we are looking forward to e-filing
11 systems, to make this easier to use with e-filing. As
12 the courts move to e-filing, we want to be sure that
13 pro se users are not left behind. And so we're
14 building these types of interfaces, making them
15 available, but making sure they're compatible with the
16 future of e-filing.

17 MS. RABY: So the next project we wanted to
18 talk about was Alaska Legal Services Corporation
19 received a grant this past cycle to create a
20 CD/DVD-based interactive guide entitled, "The Pro Se
21 Divorce Companion: How to Represent Yourself in Court
22 in a Contested Divorce Case When You Cannot Afford an

1 Attorney."

2 It's referred to hereafter as "the guide."

3 The guide is based -- yes, because it's got a long
4 title. The guide is based on a nine-hour class for pro
5 se litigants that has been given for the past 15 years
6 by the Alaska Legal Services Corporation. The guide
7 will incorporate instructions for representing yourself
8 in court, information specific to each local court, and
9 the necessary documents and forms.

10 The Alaska Legal Services is partnering with
11 the Alaska Network on Domestic Violence and Sexual
12 Assault in the Alaska court system, as the distribution
13 channels for those CDs/DVDs.

14 While the CD/DVDs may seem like an odd
15 technology to select for this topic, you need to
16 remember the long, dark, cold winters, and remote
17 nature of Alaskan villages. Alaskan Legal Services did
18 research, and determined that it was a very common
19 technology, as it serves as one of the very few
20 entertainment venues in Alaska. So they were trying to
21 take advantage of technology a lot of people actually
22 have.

1 We are also doing a replication grant to the
2 Legal Services of Alabama. I know the board was in
3 Helena, and saw a demonstration of the video
4 conferencing project, the successful project in
5 Montana. Legal Services of Alabama will be installing
6 video conferencing equipment in a courthouse, as well
7 as establishing a mobile unit for circuit riding
8 attorneys, to allow for in-court representation via
9 video conferencing.

10 The goal is to increase service to rural and
11 remote Alabamians. And I wanted to talk a little bit
12 about the cost savings that we're starting to see from
13 some of these replication grants, where we take a
14 successful model, and then see it replicated in
15 different communities.

16 The original Montana grant that we put
17 together that piloted all of this technology was for
18 \$175,000. The grant to Alabama is for \$45,000. So
19 they were going to do a smaller version of what Montana
20 originally did, but they are doing it for a lot less
21 money. We are using lessons learned from the Montana
22 project to actually ensure that the Alabama project has

1 a high chance for success.

2 MR. RAWDON: Another project which we are
3 trying to do replication is the I-CAN! EITC project.
4 Now, as you all know what the earned income tax credit
5 is, we have done a module of I-CAN! that allows a pro
6 se user, over the web or working with our partners, to
7 log in and fill out their tax forms to claim their
8 earned income tax credit. This is available through
9 any of our programs, or any other partners, nationwide,
10 to use this particular software at no cost to them.

11 As far as the replication, we are working on
12 some efforts to try to expand this. It's been
13 available to every state, but it's not been widely used
14 by every state.

15 To give you an example of what the efforts of
16 one person can make, in 2004 the State of Michigan,
17 using this system, brought in approximately \$100,000 in
18 earned income tax credit. Steve Gray, and Legal
19 Services of South Central Michigan worked very hard on
20 this project, and the next year they brought in over \$1
21 million for their low-income users there, on earned
22 income tax credit, over 10 times as much.

1 And so, we are trying to make sure that our
2 programs get the message on using this. And one of the
3 factors that we have is often times we hear from our
4 programs that, you know, in our priorities, taxes are
5 not a priority.

6 We're trying to get across the message that
7 this isn't about doing taxes. This is the largest
8 federal program for the poor in America, worth billions
9 and billions of dollars. And even with all that is
10 claimed, even -- you know, a large percentage, 15 to 21
11 percent, the IRS estimates -- goes unclaimed.

12 And if you use your EITC, it can reduce the
13 housing gap more than Section 8 housing does. It can
14 increase the minimum wage, which has been so much in
15 the news, by \$1.50 to \$2.50 an hour, if they will use
16 it. And in 2003, it's estimated that 2.3 million
17 children were lifted above the poverty line because of
18 claiming of the ITC. So we are really trying to do
19 these efforts to expand the usage of the EITC module
20 through I-CAN!.

21 MS. RABY: And then we kind of go back to
22 Montana with the LiveHelp project. LiveHelp is a

1 system that allows a user on a website to obtain
2 navigational assistance, either via telephone or
3 through a live chat.

4 Live chat is if you're on a website and you
5 need assistance, there is a button, you can press the
6 little button just with a click of your mouse, and a
7 small window appears with some text in it, and you can
8 respond by using the text link to that keyboard, and
9 there is actually a communication that happens in real
10 time between you and a live human being on the other
11 side.

12 Either one of these solutions provides the
13 user with a live person to help them locate the
14 information that they need. The original grant
15 piloting this now successful project in Montana was for
16 \$170,000. This expansion to this project, hoping that
17 we can create multiple kinds of configuration, is
18 actually for \$32,000.

19 We're going to do three things. They are
20 partnering with the Georgia Legal Services program, the
21 State Bar of Georgia Pro Bono Project, and again,
22 probono.net, to provide assistance to pro bono

1 attorneys navigating the statewide advocate website.

2 So, when we looked earlier at the number of
3 states that have advocate portions on their
4 website -- that's material on their website that is
5 really targeted to pro bono attorneys -- there will be
6 advocates and people around the country, or within
7 Georgia, who will be trained to assist them in
8 navigating to and locating on the website sample
9 briefs, the appropriate forms, any information that
10 they need, in terms of providing service.

11 The second thing that they're going to do is
12 integrate LiveHelp with document assembly. Glenn has
13 given us a fairly broad understanding of the HotDocs
14 project. Well, often, if you're in the middle of one
15 of those document assembly projects and you need
16 assistance, the LiveHelp functionality will be
17 available, so that you can sit within the document
18 assembly project and get assistance from someone live
19 to work through, if you're having trouble using the
20 system.

21 The last one actually came out -- this
22 cross-jurisdictional support came out of the experience

1 that a program has had as a part of Katrina. The legal
2 aid that was needed by the victims of Katrina certainly
3 did not come into play until after they had secured
4 their basic needs.

5 However, there was a big dispersion of people
6 across the country, and so there were lots of people
7 displaced. And what they're testing is whether or not
8 it's possible for people all over the country to be
9 trained in providing some of the specific disaster
10 relief assistance to people, or at least directing them
11 appropriately to that information on a website, so that
12 people all over the country could provide assistance to
13 a community that -- in a time of crisis.

14 So, that is the third thing that they are
15 going to be testing with this project, and these
16 multiple configurations are part of how we're hoping to
17 expand and make far more replicable this particular
18 idea.

19 Again, statewide websites and further
20 integration into how people use those, and the other
21 products that are a part of running a legal services
22 program. Here we are combining, sort of fundamentally,

1 two pieces: their case management system; and their
2 statewide websites.

3 Part of the -- I guess the best way to think
4 about this is when you're sitting in your case
5 management system, and you may need information that
6 you want to direct to a client. You may be looking for
7 a sample brief for your own use. You may be wanting to
8 provide information to a pro bono attorney.

9 All of those things, the more we can simplify
10 the process of actually locating that information on
11 the statewide website and pulling it directly into your
12 case management system, means that we hope that that
13 information will be that much more used, because it
14 will be simple. You won't have to go to the website,
15 put in a search, do any additional work to get that
16 information. It will all be basically able to be
17 pulled out of the website from within your case
18 management system.

19 Kentucky Legal Aid is sort of doing a similar
20 project, but they are really concerned that their
21 attorneys haven't published a lot of information to the
22 website, because it's kind of complicated. You have to

1 sort of take your document, cut and paste it into this
2 special publishing software, do some formatting, check
3 to make sure it has all of the additional tags that
4 need to go in, so people can find it.

5 And they are going to do a grant to simplify
6 that process, so that you can be within the document,
7 especially if it's already within your case management
8 system, and simply have a button that allows you to
9 click that document and publish it automatically to the
10 website.

11 So, by sort of their -- and their term that I
12 really liked out of the application, and thought was
13 appropriate, was this idea of a virtuous
14 circus -- circle, not circus, virtuous circle -- that's
15 a completely different grant we're not going to tell
16 you about.

17 (Laughter.)

18 MS. RABY: A virtuous circle, whereby, you
19 know, part of why a website becomes really well used is
20 because there is lots of really good information there.

21 Well, if we can make it very easy for people to
22 publish, it becomes a better repository, therefore more

1 people use it, therefore more people pull information
2 down, therefore more people publish.

3 I mean, hopefully, the idea would be, by
4 eliminating all of the multiple layers of these systems
5 because they're separate, we would actually make it
6 simpler for those -- for the advocates -- to publish
7 information, and therefore, use the information.

8 Oh, cyber piracy. Okay, this is one of my
9 favorite topics. I think this is really interesting.
10 I am going to give you a couple of definitions -- and
11 they're not definitions that you need to remember, but
12 I want to be able to sort of give you a context for
13 what we're talking about.

14 Cyber piracy is now used as a very broad term
15 to talk about nefarious things that happen on the
16 Internet. So I think if you want to use that in that
17 way, that's a very common term that people use. The
18 specific definition of cyber piracy is, however, making
19 unauthorized copies of files.

20 So, most of you may remember Napster, and the
21 use of illegal copying of music files is a very good
22 example of what we would call cyber piracy. It's

1 essentially stealing.

2 Cyber squatting is registering, trafficking
3 in, or using a domain name with the bad faith intent to
4 profit from the goodwill of a trademark belonging to
5 someone else. So that would be, for example, if
6 someone took the lsc.gov URL -- that's our domain
7 name -- and put information that was inappropriate,
8 misdirected our users to another location, attempted to
9 say nasty things about us, and did all sorts of other
10 acts we probably don't want to discuss.

11 So, the Pine Tree Legal Assistance actually,
12 a couple of years ago, was the victim of this kind of
13 cyber squatting. Someone used a very similar URL,
14 deliberately to misdirect people that were attempting
15 to go to a site to get free legal assistance, to a site
16 that was going to charge them for legal assistance.
17 That organization was called Legal Match, and they
18 actually have settled with Pine Tree Legal Assistance.

19 And part of what this grant is going to do,
20 they settled not just because they're a national
21 organization. The terms of the settlement actually
22 dictate that they will settle and not do this with any

1 of the legal aid organizations around the country. So
2 it's actually a fairly sizeable settlement.

3 So, if we could go to the next slide, Glenn,
4 so that's the first of the six things that this grant
5 is designed to do, is to ensure that the terms of that
6 settlement are actually enforced for all of the
7 programs around the country.

8 We do want to do some additional research to
9 determine how prevalent these problems are. I mean,
10 there was actually a session at the TIG conference this
11 week that talked about cyber piracy, and it gave me a
12 little more context for how to think about it. The
13 fact that we are now being the victims of cyber piracy
14 is an indication that our websites are very successful,
15 because people only pirate sites where there are a lot
16 of hits, where there is a lot of activity. If nobody
17 was ever going to our sites, nobody would ever attempt
18 to get any of our traffic.

19 So, I mean, I think that's one of the
20 unfortunate consequences we're going to face, and it's
21 something that, unfortunately, as we develop new
22 strategies for dealing with this, people out there will

1 develop new strategies for doing other things that we
2 need to be aware of.

3 So, the -- one, we want to know how prevalent
4 the problem is. We want to develop, obviously,
5 protocols for responding effectively and efficiently
6 and quickly to these kinds of problems. There is some
7 discussion about a national leadership mechanism that
8 would allow us to sort of consider any kind of national
9 response we might want to take as a group in these
10 activities.

11 And the Good Housekeeping Seal of Approval is
12 really the idea that there might be some way for us to
13 take our existing -- either the LSC logo or the local
14 program logo and brand it within the local community,
15 so that they know that this is the sort of official
16 provider of legal aid services, this is the official
17 legal aid program within their community, as a way to
18 just sort of say, you know, "We're the good guys."

19 And then the last is, obviously, to provide
20 some training to technology staff, but also to
21 executive directors about this issue, so that we can
22 stay educated and sort of on top of what's happening.

1 MR. RAWDON: As we have talked about
2 leveraging the TIG funding as it's gone down, some of
3 the things that we have been showing you are national
4 projects.

5 Now, this is a grant for the national
6 technology assistance project, which we have been
7 funding since 2001. And at the time, we started out
8 with direct assistance. Somebody wanted to do a
9 voiceover IP-type of phone system, they would call up
10 NTAP, find somebody that could help them with this type
11 of project, and we would provide one-on-one assistance.

12 We just realized that that became too
13 expensive. We didn't have enough money to fund those
14 types of things. So, we changed the emphasis of the
15 grant over to providing training to these people. We
16 do both virtual trainings and in-person trainings at
17 Equal Justice, NLADA, and at the TIG conferences.

18 Now, while it says it's a grant to the
19 Montana Legal Services, as you realize, all of our
20 grants have to go to one of our grantees. And so this
21 goes to our grantee to then contract with NTAP to
22 provide these types of trainings.

1 And we are finding that this has been very,
2 very popular. You have got some exact statistics in
3 the hand-out. But in the third quarter of 2006, we had
4 more people trained by NTAP than in all of 2005. So
5 you can see that, each year, more and more people are
6 availing themselves of this free training. In fact, 40
7 states and 77 LSC programs attended trainings that were
8 done through the NTAP system.

9 Another system that's very similar to this is
10 Legal Meetings. This is an online meeting center for
11 all legal services programs. As the programs have
12 expanded, as programs have become stabilized, such as
13 in New Mexico and Oklahoma, and other places like that,
14 bringing everybody together for a meeting has gotten
15 much more time consuming and expensive.

16 And so, we want to make sure that they have
17 alternatives. So, the online meeting center, Web-X, is
18 available to our programs. It has been available to
19 them for free. Now, as part of the sustainability
20 effort, so that we can reduce the amount of the funding
21 for these grants so that it's not TIG that is funding
22 this in perpetuity, we are asking our programs to

1 contribute to part of the cost of this.

2 And we have been very encouraged, because
3 many of our programs have signed up for this already,
4 to pay a fee, showing that they think it's worth it.
5 But the fees are very small, like \$25 to \$28 per month,
6 you know. Look at that, and how much that's going to
7 be for years, just a few hundred dollars a year. One
8 meeting will save them enough to do that.

9 And as you can see, this is getting a lot of
10 usage. In one three-month period, there were 568
11 meetings with over 2,000 attendees. And so, every time
12 you do that, just imagine what the mileage would be to
13 do one of these meetings. It's very good for
14 trainings, it's very good for -- they can have remote
15 advocacy meetings, like their task forces from all over
16 the state can meet this way, or they can do one-on-one
17 technical assistance.

18 Now, one of the things that we wanted to
19 point out to you is that TIG has been very conscious of
20 the strategic directions that the board has just come
21 up with. And under one of the strategic directions,
22 the implementation strategy was to strengthen the

1 collaboration and strategic partnership with judicial
2 organizations.

3 We are very proud that this year, TIG worked
4 a partnership for LSC with the State Justice Institute,
5 so that on grants that have strong court connections,
6 SJI was willing to kick in half of the funding. So,
7 while we had \$1.2 million for TIG funding from Congress
8 this year, we were able to give over \$1.5 million in
9 grants to our programs.

10 Now, this went directly to our programs.
11 They didn't have to apply twice. We set up the program
12 so that they made one application to us, we did all of
13 the work with SJI, and SJI contributed over \$318,000 to
14 fund this year's TIG projects.

15 And we feel like that this, you know, is one
16 of the things that we could do to come under strategic
17 directions of building the partnerships, and we hope to
18 continue these types of programs, and look for more and
19 more partners that would help us do this.

20 MS. RABY: And lastly, to develop a strategic
21 plan for our technology investments. As you heard in
22 Helaine's -- in the President's Report, we will be

1 developing a technology advisory committee made up of
2 field representatives, staff of technology companies,
3 other technology funders, and our partnering
4 organizations to provide input and guidance to us in
5 the second half of 2007.

6 MR. RAWDON: Does anyone have any questions
7 for us? Yes?

8 MS. RABY: Yes?

9 MR. MEITES: I have about 50 questions, but I
10 will limit them. Some specifics. First, what is
11 probono.net, and who owns it?

12 MR. RAWDON: Probono.net is a non-profit that
13 started with funding from the Open Source Institute,
14 and they started as the pro bono -- they started as
15 the -- a website for pro bono lawyers in New York City.

16 And they were one of the first ones to work on the
17 templates.

18 You know, we have talked to you about our
19 system of statewide websites, and how we use templates
20 so that each individual program doesn't have to do
21 this? So they are a non-profit with their own funding,
22 and they are housed -- you know, they have their own

1 offices in New York City.

2 MR. MEITES: Next question. You mentioned an
3 A2J?

4 MR. RAWDON: Yes, the Access to Justice
5 Author.

6 MR. MEITES: Is that something that we are
7 developing?

8 MR. RAWDON: That was developed by the
9 Chicago -- the Illinois Institute of Technology, and
10 CALI, the Computer-Assisted Legal Instruction. The
11 developed it, first, to do courses for law students.
12 But then they saw that it would be a way that we could
13 do this, so we have put in funding to this, and SJI has
14 put in funding to this, CALI has put in funding. So we
15 have had many partners that have been funding this.

16 MR. MEITES: And who maintains it, or who is
17 responsible for it?

18 MR. RAWDON: CALI is the one that is actually
19 maintaining it. Our grant is through the New York
20 program. But it's free to any entity to use. There is
21 no cost to anybody to use this.

22 MR. MEITES: Okay. Next question. Over the

1 five years that we have been doing this, a number of
2 ideas have become operational. For example, take the
3 Montana video conferencing idea.

4 Now, we can only fund Alabama to try video
5 conferencing, because we don't have a -- but do other
6 of our grantees come up with their own money to do
7 video conferencing, or do they all wait for our
8 \$40,000?

9 MS. RABY: No, I do think other programs have
10 come up with funding from other locations. I know
11 Missouri has done a lot of research around video
12 conferencing, and is considering an implementation. A
13 lot of court systems are actually looking at it,
14 because they already have some video conferencing
15 capacity.

16 And so, I think it's been -- what they do
17 look to us for is some of the lessons learned, like
18 what were the key things that you needed to do.
19 Obviously, heavy court involvement, heavy judge
20 involvement are really critical to making it
21 successful. Those kinds of things.

22 But I think the community, particularly

1 giving the ever-lowering amount of money that we have
2 to fund, has looked at us to sort of pilot and figure
3 it out. But then some of them are going off and
4 finding other sources of funding.

5 MR. MEITES: Then -- I thought that was the
6 case. And so I want to make sure the board agrees with
7 me that this TIG report vastly understates the
8 influence our TIG program has. This report is only on
9 the dollars we are putting out. It's not all the
10 programs who have picked up our ideas and are spending
11 their own dollars to implement them.

12 MS. RABY: Yes.

13 MR. MEITES: Yes, I would be interested -- if
14 this is a ton of work, it's a ton of work, don't
15 bother -- but in your next report for us, if you could
16 follow up with not just the people we give money to,
17 but the people who are taking our ideas and using them,
18 I think that would give a better idea of how much
19 influence we have had. Thank you.

20 MR. RAWDON: And on video conferencing also,
21 I know that Western Ohio has video conferenced all of
22 theirs, and LSNY has done the same thing. So you're

1 absolutely right. Many of the other programs, seeing
2 what we have done, they have implemented on their own
3 with no TIG dollars.

4 MS. RABY: Yes.

5 MR. GENZ: We are working on an evaluation
6 that will address that to some extent, in some of the
7 areas, the way in which spread has happened outside of
8 our funding.

9 MR. MEITES: Because I am confident that our
10 program has been far more influential and successful
11 than just this first order. It's all the people who
12 have followed up on us. Thank you.

13 CHAIRMAN STRICKLAND: Go ahead, Bernice.

14 MS. PHILLIPS: I just had this thought. Now,
15 the programs are excellent. Is there ever a time where
16 you send money to the programs and they can't use all
17 the money?

18 MS. RABY: We haven't ever had anybody say
19 they can't use all the money.

20 (Laughter.)

21 MS. RABY: Now, we have had examples where,
22 for example, the technology gets cheaper. And so, what

1 we tend to do -- and a very simple example is something
2 like we were going to buy a certain kind of printers.
3 Those printers are now much cheaper. Can we buy
4 groovier printers? And we say, "Well, sure."

5 I mean, there are ways, I think, to look at
6 what is available in the project, and figure out how
7 you would best apply any -- you know, we would hate to
8 use things like extra money, because there is never
9 really any extra money. It's a matter of sort of can
10 you expand the project, can you increase functionality,
11 can you make it more robust, can you partner with
12 somebody new, can you -- I mean, we look for other ways
13 to make use of what's available, what resources are
14 there.

15 MS. PHILLIPS: So there is never a time where
16 you get money back from the TIG --

17 MS. RABY: There can be times when we get
18 money back. It's typically when a project, it's clear,
19 is either not going to be able to be implemented as it
20 was originally envisioned, there is insufficient
21 support from the program to actually implement the
22 program at all -- and we do ask for that money back --

1 MS. PHILLIPS: And what happens to that
2 money?

3 MS. RABY: It rolls right back into the
4 funding for the next year. We just take that money,
5 and it goes into the pot for -- with whatever is
6 already in the pot for the next round of grant
7 competition. So it's recompeted out.

8 MS. PHILLIPS: Thank you.

9 MR. RAWDON: Yes, we have had several
10 examples of -- like we had a pilot project in
11 Washington that was going very well with Eclear, but
12 then when they decided to go to a different case
13 management system, all the development we had done they
14 could take care of in the new case management system.
15 They hadn't expended all the money, that money is going
16 back into the TIG program for future projects.

17 So, yes, we do work with them like that. Or,
18 as Joyce said, if they just can't finish it, then we
19 terminate the grant and that money goes back to future
20 TIG projects.

21 MS. PHILLIPS: Thank you.

22 CHAIRMAN STRICKLAND: Any other questions for

1 the panel?

2 (No response.)

3 CHAIRMAN STRICKLAND: Thank you very much.

4 That's a very interesting presentation.

5 MR. RAWDON: Thank you.

6 MS. RABY: Thank you.

7 CHAIRMAN STRICKLAND: And Mike, are you going
8 to introduce another?

9 MR. GENZ: Yes, sir.

10 CHAIRMAN STRICKLAND: A presenter?

11 STAFF PRESENTATION ON COMPETITIVE GRANTS PROCESS

12 MR. GENZ: The next presentation recalls the
13 competition process. And with me here is Reggie Haley,
14 who is an OPP analyst who is in charge of our
15 competition work. Competition involves an extensive
16 examination of each of the grants, and each of the
17 applications throughout any given year.

18 It's designed to be responsive to the
19 purposes of competition that are in the regulation, and
20 we are also very interested in making it serve the
21 purpose of the quality initiative, and the strategic
22 directions document, where there are several places

1 there.

2 Reggie will describe the review and
3 evaluation process that staff undertakes for each of
4 these grants. He will discuss the extra steps that are
5 involved when there is more than one application. He
6 will also detail the efforts that we make to be
7 receptive to new applicants.

8 Finally, he will describe the management of
9 the process that leads to the president's review, and
10 her decisions. Reggie?

11 CHAIRMAN STRICKLAND: Is this a Power Point
12 presentation?

13 MR. HALEY: It is, indeed.

14 CHAIRMAN STRICKLAND: All right.

15 MR. HALEY: Thank you. And just -- I will
16 take one second.

17 (Pause.)

18 MR. GENZ: I believe you have materials in
19 front of you.

20 MR. HALEY: While you were at lunch, we put a
21 couple of things in your chair. The first is simply a
22 printed copy of the Power Point presentation. The

1 second item that we put in your chair was more
2 substantive. It is a book that contains the evaluation
3 tools we use in our evaluation process. Everyone
4 should have a set of this. Yes? Okay.

5 So, I hope the technology works a little bit
6 better for me. Here we go. I'm going to start right
7 off with an overview. Then I'm going to talk about the
8 rigor of our review process. I'm going to talk about
9 the tools we use in our evaluation process. I'm going
10 to talk about the management and oversight of the
11 process, and then the decision-making process. And
12 then, if we have an extra minute left, I would like to
13 talk a little bit about how we remain receptive to new
14 applicants for LSC grant awards.

15 My clicking may not be exact. You can follow
16 the screen or follow your print-out, but first, this is
17 a congressionally mandated project. It began in 1996.

18 Prior to 1996, we had a system of refunding.

19 LSC funds grantees for a maximum of three
20 years. The LSC regulation allows us to award grants
21 for up to five years, but up to this point we have
22 awarded grants for just three years -- for a maximum of

1 just three years.

2 Grantees awarded a multi-year grant must file
3 a grant renewal. The grant renewals are used to make
4 sure that a strategy is in place, and the original
5 competitive grant application filed remain the
6 strategies that are being used by our applicants.

7 Special grant conditions may be attached to
8 any grant award. We attach special grant conditions to
9 improve equality of the grantee delivery system, for
10 programs that have recently merged, and where special
11 grant conditions can effectively address compliance
12 issues.

13 As you know, most service areas have one
14 applicant, and that is typically the current provider.

15 As required by the LSC regulation, we employ the full
16 review process for all grant applications.

17 MR. HALL: Is there anything we do on our end
18 that cultivates multiple applicants from an area, or is
19 that something we just kind of wait to see what comes?

20 MR. HALEY: Well, we attempt to be as
21 proactive as we possibly can be. We go through a
22 number of steps to -- for outreach. We provide

1 newspaper advertisements in those service areas where
2 there will be grant awards made. We publish in the bar
3 journals. We maintain a comprehensive website that
4 announces all competition dates, as well as other
5 information.

6 We also hold an applicant information
7 session -- this is an annual session that we do that is
8 practically national. Anyone can participate in that
9 applicant information session, and its purpose is to
10 help applicants complete their grant application. And,
11 of course, also to promote the competitive grants
12 process. So, we take a number of steps. Yes, sir?

13 CHAIRMAN STRICKLAND: Reggie, let me ask you
14 a question on special grant conditions that may be
15 attached to any grant award.

16 MR. HALEY: Yes.

17 CHAIRMAN STRICKLAND: And you used an
18 example. One example was with respect to compliance
19 issues.

20 MR. HALEY: Yes.

21 CHAIRMAN STRICKLAND: Could you just cite one
22 or two examples of what such a condition might look

1 like? In other words, if there is a compliance issue,
2 what might it be, and what would the grant condition
3 specify, with regard to that item?

4 MR. HALEY: I would suspect that you're most
5 familiar with Wyoming, and the grant conditions that
6 were attached last year, and which are being continued
7 for 2007.

8 An example of one of the compliance grant
9 conditions was the requirement that they continue to
10 submit to us information from their case management
11 system, so that we could be assured that the
12 information that they are collecting is for services
13 that should be provided to eligible clients.

14 CHAIRMAN STRICKLAND: And that's a continuing
15 requirement?

16 MR. HALEY: It is. For Wyoming, it began in
17 2006, and it is being continued in 2007.

18 CHAIRMAN STRICKLAND: Okay. Thank you.

19 MR. HALEY: Yes, sir. Review and evaluation
20 of the grant applications. Staff review and evaluate
21 each grant application, using the evaluation guide,
22 which is based on the ABA standards, the LSC

1 performance criteria, the LSC regulations, as well as
2 the RFP, or the request for proposal.

3 The office of compliance and enforcement and
4 the office of the inspector general provide input based
5 on site reviews and complaint investigations. Staff
6 review this information to ensure that evaluations and
7 funding recommendations take into consideration an
8 applicant's compliance with LSC regulations and other
9 requirements.

10 Staff uses an evaluation guide to ensure the
11 grant application evaluation is consistent,
12 comprehensive, and objective. Staff's evaluation is
13 documented in an automated evaluation form, and
14 captures the strengths and weaknesses of an applicant's
15 response, and staff's comments about the applicant's
16 response.

17 The organization and structure of the
18 evaluation guide -- and by the way, that is the
19 document that was provided to you in the binder. And
20 it's not something you need to refer to now, but I want
21 you to know that it is there, and we can talk about it
22 later if we have some additional time.

1 For each RFP topic, an inquiry in the guide
2 provides a one-page table consisting of the RFP
3 inquiry, the context and background for the RFP
4 inquiry, and suggested elements of excellent,
5 sufficient, and weak answers that reviewers should
6 consider when reviewing the grant application proposal
7 narrative.

8 The opposite page of the evaluation guide
9 shows the pertinent LSC performance criteria, as well
10 as the LSC regulations and relevant ABA standards.

11 The evaluation guide -- I'm sorry. At the
12 conclusion of the evaluation, staff provides an overall
13 analysis of the grant application, that summarizes the
14 applicant's strengths, potential weaknesses, and
15 potential issues that may warrant further review. As
16 necessary, on-site assessments are done for any
17 applicant.

18 Before the evaluation process actually
19 begins, staff participate in an annual training to
20 discuss the evaluation process. Information from the
21 evaluation is maintained in an automated database. I
22 noticed that some of you had gone ahead and opened the

1 binder that I submitted, so just give me a minute and
2 let me give you an idea of what is in it.

3 First of all, in the left jacket pocket, you
4 have a copy of the RFP. This is the document that our
5 applicants use in providing their grant application to
6 us. It consists of a series of inquiries that are
7 divided in about five categories.

8 The first is understanding the need of the
9 client community. The second category is the
10 components of the delivery system. The third category
11 is management and legal work. The fourth category is
12 coordination and collaboration in the delivery system.

13 And then the fifth category is the applicant's
14 experience.

15 In addition to the RFP in the left jacket
16 pocket, in the binder behind the tabs, behind the first
17 tab you have a copy of the evaluation guide. Following
18 that, you have a copy of the LSC performance criteria.

19 And at tab three you have a copy of the actual
20 evaluation form that's used. And I will talk about
21 those in a little more detail, if there is time, as we
22 proceed.

1 For multiple applicant service areas, staff
2 also conduct capability assessments of each of the
3 applicants for the service area. Staff prepare a
4 capability assessment report. After the capability
5 assessment is completed, that capability assessment
6 report is an analysis of the findings from that
7 assessment, and it also identifies the strengths and
8 potential weaknesses and any issues that may need to be
9 addressed of the applicants.

10 We also convene review panels that assess the
11 capacities of the applicants. As Helaine mentioned
12 earlier today, there were three situations in which we
13 had multiple applicants for the same service area.
14 Review panels are convened here at LSC during the
15 months of October and November, and they went through a
16 comprehensive review of all of the materials that were
17 available for each of those applicants.

18 At the conclusion of their meeting here at
19 LSC, they prepared a written funding recommendation,
20 which is also submitted to the president.

21 Our review panels are comprised of experts in
22 the delivery area being assessed. As an example, for

1 the migrant service area in South Carolina, we made
2 sure that each of our review panel members had
3 expertise in that delivery strategy.

4 Review panels typically consist of two
5 attorneys and one client eligible participant. Neither
6 LSC staff, nor persons with a financial interest or an
7 ethical conflict with the applicant may serve on the
8 review panels.

9 Staff and the review panel prepare separate
10 written funding recommendations, both of which are
11 presented to the president.

12 This is a picture of a couple of our staff
13 members, Willie Abrams and Janet Labella. You may know
14 them. I think it's fairly important to point out a
15 little bit about our staff that review grant
16 applications.

17 These are the typical staff reviewers. They
18 are representative of OP staff who review the grant
19 applications. They know the faces of clients and
20 client advocates. They have been committed to legal
21 services delivery for many years. They were previously
22 legal services attorneys or managers before joining

1 LSC. They are respected among their peers, and they
2 genuinely enjoy their work and appreciate the
3 importance of their work to the delivery system.

4 And I think it's important for the board to
5 understand that it's not just anyone who is reviewing
6 the grant applications. These are the people that have
7 actually worked for legal service programs, who
8 understand the importance of having high quality,
9 effective, and efficient legal services delivery. And
10 I just wanted to point that out.

11 Management and oversight of the grants
12 process. The vice president for programs and
13 compliance, the OPP director, the grants manager, and
14 staff meet throughout the review process to discuss
15 staff's overall assessment of the applicant, its
16 strengths, potential weaknesses, and any potential
17 issues.

18 They also discuss whether additional
19 documentation or capability assessment is necessary to
20 better inform the funding decision. They also discuss
21 whether special grant conditions are appropriate, and
22 the funding term recommendation to be presented to the

1 president.

2 Funding decisions -- I apologize for the
3 technology. The funding decisions. As authorized by
4 the LSC Act, the LSC president makes all funding
5 decisions. As part of this process, the president
6 meets with the vice president for programs and
7 compliance, the OPP director, the grants manager, and
8 staff to address staff's assessment of: the
9 applicant's delivery system, based on the grant
10 application, program visits, and evaluations from
11 non-LSC funders, as well; the applicant's collaboration
12 with stakeholders in the state justice community.

13 We also discuss the conclusions from staff's
14 evaluation, including applicant's strengths and
15 potential weaknesses. We discuss the rationale for
16 funding term recommendations, and special grant
17 conditions, and any follow-up activities that are
18 proposed for the applicant, if funded. There is also a
19 discussion about issues, questions, and/or concerns
20 that are raised by the president.

21 Staff and review panel funding
22 recommendations for multiple applicant service areas

1 are, of course, addressed as well. And I would just
2 like to talk with you a little bit about the detail
3 that goes into that discussion with regard to single
4 applicant service areas, but also about multiple
5 applicant service areas, as well.

6 The president's deliberative process for
7 multiple applicant service areas includes: a review of
8 the written recommendations from staff and the review
9 panel; discussions with the vice president, the
10 director of the office of program performance, and the
11 grants manager; inquiries pertaining to collaborations
12 with stakeholders in the service area; the affect the
13 funding decision might have on service delivery
14 throughout the state; special grant conditions.

15 We also talk about the range of experience
16 and expertise of both applicants, and the expertise of
17 the review panel and the consultants used on the
18 capability assessment.

19 There is a discussion about private attorney
20 involvement, a discussion about assuring quality
21 services to clients, assuring uninterrupted services to
22 clients, program management and leadership of both

1 applicants, client access to services, and the
2 reputations of the applicants. So, it's quite a
3 comprehensive and substantive discussion that we have
4 with the president, to aid her in making her decision.

5 If we have another minute, I would like to
6 talk with you just a little bit about efforts to be
7 receptive to new applicants.

8 I spoke briefly about it earlier. We held
9 the annual applicant information session, as I
10 mentioned earlier. It's a free telephonic conference.

11 Its purpose is to assist applicants. And last year,
12 more than 60 individuals and groups participated in
13 that national teleconference.

14 As I mentioned earlier, LSC also places
15 announcements and updates on the Internet. We publish
16 notices of funds availability in the Federal Register,
17 and we also conduct outreach through newspapers and bar
18 journals.

19 Another step that we take that's fairly
20 important is to survey individuals who have filed a
21 notice of intent to compete, but who do not follow
22 through and file a grant application. The purpose of

1 doing this is to find out what we can do to be more
2 receptive to new applicants, and to assist them in
3 participating in our competitive grants process.

4 Lastly, we provide technical assistance. We
5 maintain a service bureau to respond to applicant
6 inquiries. It's staffed throughout the year. It
7 receives and responds to applicant inquiries by e-mail
8 within 48 hours. And on average, we receive about 65
9 inquiries each year.

10 In addition to that, we also maintain an
11 online research center for applicants on our website.
12 The links at that website include: the RFP; the LSC
13 performance criteria; information on LRI, which is the
14 LSC resource initiative; responses to frequently asked
15 questions; LSC program letters; the ABA standards; LSC
16 Appropriations Act; and guidance on responding to RFP
17 inquiries. So it's quite extensive, and that is
18 maintained throughout the year, every year.

19 And that brings me to the end of my
20 presentation. But I would enjoy answering any
21 questions that you might have.

22 CHAIRMAN STRICKLAND: Thank you very much,

1 Reggie and Mike, for that presentation. I think that's
2 very informative, and we appreciate this volume you
3 have given us on the whole process.

4 Are there any questions of these gentlemen?
5 Tom Meites?

6 MR. MEITES: This book is given to the
7 reviewers, is that correct?

8 MR. HALEY: Yes. The reviewers have that.
9 It's actually a little larger. There is more
10 information that they use. But definitely all that's
11 in there, to every reviewer.

12 MR. MEITES: Do grant applicants have a copy
13 of this book?

14 MR. HALEY: They do not.

15 MR. MEITES: Second question. I'm sure you
16 answered this, but I didn't get it. The vast majority
17 of your grant applications are non-competitive. But do
18 you go through the review process for all the grants,
19 including competitive and non-competitive?

20 MR. HALEY: Yes, sir.

21 MR. MEITES: Why?

22 MR. HALEY: Well, the regulation requires of

1 our selection process that we make a determination
2 based on several factors before we grant any award.
3 And so, we have to go through that full review process,
4 as required by the regulation.

5 MR. MEITES: Do you find that in reviewing a
6 grant application from an existing grantee who has been
7 a grantee for years, that the effort is worthwhile?

8 MR. HALEY: Absolutely, and I will tell you
9 why.

10 MR. MEITES: Why is that?

11 MR. HALEY: Sometimes the landscape of the
12 delivery system changes. And to go through this
13 competitive grant process, we find out through their
14 grant application. Because as I mentioned earlier,
15 they have to discuss a number of issues in that grant
16 application.

17 MR. MEITES: So a grantee who has gotten old
18 and slow should come to your attention through this
19 process?

20 MR. HALEY: That's one of the processes that
21 we use. And often, it does come through loud and
22 clear. Of course, we also visit a number of our

1 programs, as well.

2 MR. MEITES: Thank you very much.

3 MR. HALEY: Yes, sir.

4 CHAIRMAN STRICKLAND: Herb?

5 MR. GARTEN: You might have addressed this.

6 You say that you get 65 inquiries. Are you referring
7 to people who inquire who don't follow through on the
8 process?

9 MR. HALEY: I'm referring to any individual
10 that is interested in our competitive grant application
11 process. Most of the inquiries do come in from new
12 applicants. But of course our current applicants have
13 inquiries, sometimes, as well.

14 MR. GARTEN: How many applicants do you get a
15 year? How many of them are competitive, where there is
16 more than one going for a particular area?

17 MR. HALEY: Sure. This year is a great
18 example. We had multiple applicants for five service
19 areas. I'm sorry, I think I missed the other part of
20 your question.

21 MR. GARTEN: How many applications do you
22 have?

1 MR. HALEY: Yes. That varies. Typically, it
2 ranges between 38 and 75 grant applications each year.

3 MR. GARTEN: Okay, and multiple --

4 MR. HALEY: That's correct.

5 MR. GARTEN: Thank you.

6 MR. HALEY: Yes, sir.

7 CHAIRMAN STRICKLAND: Any other questions?

8 (No response.)

9 CHAIRMAN STRICKLAND: Thanks again. Could
10 you press the button and turn off that bright light?

11 MR. HALEY: Yes, I will.

12 CHAIRMAN STRICKLAND: Thank you. Okay, the
13 next item on our agenda is item 18, status report on
14 performance measures for strategic directions. A solo
15 presenter, Charles Jeffress, go ahead.

16 STATUS REPORT ON PERFORMANCE MEASURES

17 FOR STRATEGIC DIRECTIONS

18 MR. JEFFRESS: And, actually, this will be
19 very brief, Mr. Chairman. A year ago this month you
20 all adopted the strategic directions document. You all
21 recall the process we went through to do that.

22 In the back of the document are the

1 performance measures which we will use to track LSC's
2 progress on achieving the success in our strategic
3 directions. For the past few months, we have been
4 collecting data on those performance measures. And as
5 we collect the data, we are finding that perhaps some
6 of the measures need to be revised and refined and
7 improved.

8 We had hoped that today, a year from the time
9 you adopted it, we would have the first report. I will
10 tell you that it's still a work in progress. So our
11 hope will be in April, and prior to April, to have some
12 information to you that has the data that we will use
13 to evaluate our progress on these performance measures,
14 and be able to report to you in April on the data that
15 we have collected.

16 So, this is something to tell you, to alert
17 you to the fact that at your next meeting we expect to
18 have a report on our progress, and prior to that time
19 we will give you some of the data that tracks the
20 performance measures that you adopted last year.

21 CHAIRMAN STRICKLAND: Any questions for
22 Charles?

1 MS. PHILLIPS: I have a question.

2 CHAIRMAN STRICKLAND: Okay, go ahead.

3 MS. PHILLIPS: First question, Charles, was
4 how many program reviews are conducted for -- was
5 conducted for 2004 to now?

6 MR. JEFFRESS: Program reviews are done by
7 the office of compliance and enforcement, and by the
8 office of program performance, and they do different
9 types of reviews. And I am going to have to call on
10 Karen for an approximate number. I don't know that she
11 has that number with her.

12 MS. SARJEANT: Well --

13 MR. JEFFRESS: Not to put you on the spot, or
14 anything.

15 CHAIRMAN STRICKLAND: Better her than you,
16 huh?

17 MR. JEFFRESS: Yes.

18 (Laughter.)

19 MS. SARJEANT: For 2006?

20 MR. JEFFRESS: 2006.

21 MS. SARJEANT: There were probably a
22 combination of 50 or so visits.

1 MS. PHILLIPS: For?

2 MS. SARJEANT: For both offices.

3 MS. PHILLIPS: For -- from 2004 until --

4 MS. SARJEANT: Oh, no. From 2004?

5 MS. PHILLIPS: Yes.

6 MS. SARJEANT: Until 2006? I don't have that
7 number in my head.

8 MS. PHILLIPS: Do you know how many has been
9 final, or not finalized?

10 MS. SARJEANT: Visits that were done in 2006,
11 or in -- from 2004?

12 MS. PHILLIPS: 2004 to 2006.

13 MS. SARJEANT: I would hope that -- I can
14 think of only one report that is outstanding, and that
15 is because there are some other issues from earlier
16 than 2004. But certainly for 2006, there are a few
17 reports that are still outstanding because the visits
18 were done in the latter part of the year. But I'm
19 pretty sure that everything else before then has gone
20 out.

21 MS. PHILLIPS: Okay. Two more questions.
22 Are clients being interviewed when you go out to do

1 these performance measures?

2 MS. SARJEANT: Are you -- when you're
3 talking -- are you talking about the --

4 MS. PHILLIPS: When you go out to the --

5 MS. SARJEANT: -- visits that are done by the
6 office of program performance?

7 MS. PHILLIPS: Right.

8 MS. SARJEANT: Not on every visit. There are
9 some visits sometimes when clients are interviewed, and
10 I know that for compliance visits they are not.

11 MS. PHILLIPS: And, last question, does a
12 client representative go out or does a client -- is he
13 or she a part of the interview? When you go out to
14 meet with grant -- the grantees, are the client
15 representatives -- I don't know who they could
16 be -- are they a part of --

17 MS. SARJEANT: Yes, the review teams
18 that -- since I have been back at LSC -- and I don't
19 know what they were doing before, but right now we are
20 not including client representatives on a review team,
21 so that when teams are on site, that will be a team of
22 either program analysts, program counsel, or private

1 consultants.

2 And so any interviews that are done, if they
3 are done of clients, would not necessarily have
4 a -- would not have a client representative brought by
5 LSC into that interview.

6 MS. PHILLIPS: Thank you.

7 CHAIRMAN STRICKLAND: Okay. Any other
8 questions for Charles?

9 MS. SINGLETON: Karen, could I follow up on
10 one thing Bernice asked, if I heard it right?

11 MS. SARJEANT: Mm-hmm.

12 MS. SINGLETON: When you talk about
13 interviewing clients, I thought they routinely talked
14 to board members, including client board members. Is
15 that not the case?

16 MS. SARJEANT: Well, they do talk to board
17 members during visits, and that may be client board
18 members also. But I was actually responding in the
19 context of whether we go out and interview individual
20 clients of a program, and we don't.

21 MS. PHILLIPS: Or both. Or both.

22 MS. SINGLETON: Okay.

1 MS. SARJEANT: Well, they do interview client
2 board members.

3 MS. PHILLIPS: Oh, okay.

4 MS. SINGLETON: So I think there is some
5 client input in the process, at least.

6 MS. SARJEANT: Yes.

7 CHAIRMAN STRICKLAND: Okay. Anything else?

8 (No response.)

9 CHAIRMAN STRICKLAND: Thank you very much.

10 The next item is consider and act on selection of
11 locations for LSC board meetings in calendar year 2008.

12 Is that your item, Helaine?

13 MS. BARNETT: Yes, it is.

14 CHAIRMAN STRICKLAND: Go ahead.

15 CONSIDER AND ACT ON THE SELECTION OF LOCATIONS FOR
16 LSC BOARD MEETINGS IN CALENDAR YEAR 2008

17 MS. BARNETT: I would like to propose for the
18 board's consideration the following program visits for
19 the board meetings in 2008.

20 For our April meeting, Oklahoma City, to
21 visit the Oklahoma statewide program and Oklahoma
22 Indian program. That would be April 25/26, which is

1 the last Friday/Saturday of April.

2 Our July meeting, for the last
3 Friday/Saturday, July 25/26, Wilmington, Delaware, to
4 visit the statewide Delaware program. The board has
5 never visited Oklahoma or Delaware.

6 And for the October meeting, the last Friday
7 and Saturday, October 24/25 in 2008, Salt Lake City,
8 Utah. The board has visited there, but not, I do not
9 believe, for 20 years. That is also a statewide
10 program.

11 CHAIRMAN STRICKLAND: Is this an information
12 item? Do we need to take action? In other words,
13 until you have examined the logistics, or availability
14 of hotels and so on --

15 MS. BARNETT: Well, we have --

16 CHAIRMAN STRICKLAND: -- is it somewhat
17 tentative, or --

18 MS. BARNETT: Well, we have determined that
19 there is hotel space at the government rate.

20 CHAIRMAN STRICKLAND: Oh, I see. All right.
21 Okay. So we should go ahead and take action on this,
22 then?

1 MS. BARNETT: I would appreciate that, if you
2 would.

3 M O T I O N

4 CHAIRMAN STRICKLAND: All right. I would
5 entertain a motion, then, that the board approve the
6 recommendation of the president for those locations in
7 2008. Is there such a motion?

8 MR. FUENTES: Mr. Chairman?

9 CHAIRMAN STRICKLAND: Yes, sir?

10 MR. FUENTES: Is that piece of paper here
11 some place?

12 CHAIRMAN STRICKLAND: I beg your pardon?

13 MR. FUENTES: Is that piece of paper in our
14 book?

15 CHAIRMAN STRICKLAND: No, it's not. No,
16 that's just a verbal report of the names of the three
17 cities.

18 MR. FUENTES: Well, Mr. Chairman, I would
19 think that the selection of dates for a full year of
20 meetings ought to at least be a piece of paper in our
21 book, listed and presented to us. And I frankly resent
22 having to make a decision on this with 30 seconds of

1 consideration.

2 CHAIRMAN STRICKLAND: Well, I appreciate your
3 concern about that. But I think the point about the
4 dates is it's always the last weekend in those
5 particular months. In other words, that's not a new
6 twist.

7 The exception this year, for example, is this
8 month. I've forgotten what the reason was, but we're
9 meeting the third, rather than the fourth weekend. But
10 in my recollection, the meetings in April, July, and
11 October have been the last weekend of those months.

12 MR. FUENTES: We could have received the list
13 of these cities to consider and give thoughtful
14 consideration to, to compare with other needs or areas
15 of geographic United States that we might think have a
16 need for our visit. It could have been faxed to us.
17 It could have been something that we should have some
18 opportunity.

19 In the same way, I look to this agenda and
20 see the consideration of the potential of additional
21 meetings, or more frequent meetings, the following
22 item, which is obviously the cart before the horse

1 here, if we're going to consider the possibility of
2 additional meetings, we ought to be discussing that
3 before we set a schedule for a year out from now. I
4 think that the tail is wagging the dog, and I think it
5 inappropriate.

6 CHAIRMAN STRICKLAND: All right. Is there --

7 MR. GARTEN: I think there is merit in what
8 Tom has to say.

9 CHAIRMAN STRICKLAND: All right.

10 MR. GARTEN: I don't have my calendar with
11 me, but conceivably there could be a conflicting date
12 to it. The change of the date of this meeting
13 conflicted with a schedule I had arranged. Taking into
14 consideration the earlier dates, I didn't want to miss
15 the meeting, so I had to miss part of what I was going
16 to see.

17 So, I think we should get advanced notice,
18 and be able to comment on -- there may be ABA meetings,
19 there may be SCLAID meetings, there may be other
20 meetings that conflict with these dates.

21 CHAIRMAN STRICKLAND: Okay.

22 MS. BARNETT: Mr. Chairman, may I make a

1 recommendation?

2 CHAIRMAN STRICKLAND: Please. Please do.

3 MS. BARNETT: I would recommend that we poll
4 the board on these dates, and give them a chance to
5 check their calendars.

6 With respect to the locations, we have been
7 working with the chairman in determining places where
8 the board has not been. We have been working with our
9 office of program performance and office of compliance,
10 to come up with a list of suggested locations, which I
11 would still recommend that the board take under
12 consideration.

13 And we actually just heard yesterday that we
14 had confirmation for these hotels, and so we didn't
15 want to put out locations without knowing that we had
16 the availability.

17 CHAIRMAN STRICKLAND: All right.

18 MS. BARNETT: But I recommend that we simply,
19 at this point, poll the board for these dates, assuming
20 that --

21 MR. GARTEN: That is very satisfactory.

22 CHAIRMAN STRICKLAND: Well, I might also tell

1 you that it was somewhat scientific, in the sense that
2 the staff prepared a map, and put a star on the map
3 where the board had met in the past 10 or 20 years.
4 And conversely, the map also shows blank areas where
5 the board has never met, or might have met in the past
6 five years, or whatever. But it was not a dart board
7 approach.

8 So as Helaine said, these were cities and
9 programs that the board, in two instances, has never
10 visited. And in the case --

11 MR. GARTEN: I don't have any problem with
12 the location. We're talking about the dates.

13 CHAIRMAN STRICKLAND: Right. Well, we will
14 undertake to poll the board, relative to the dates.
15 But I would emphasize again that the typical schedule
16 for a meeting is the last weekend of those months,
17 almost without exception -- this month being one of
18 those. Yes, sir?

19 MR. FUENTES: Mr. Chairman, if I may, I think
20 we have had, sort of as a tradition of the board -- I
21 don't think there is anything formal about it -- but I
22 think we have had discussions about where we might go

1 for meetings. And I don't think that we have had any
2 discussions for quite some time, or that are evidenced
3 in the list just presented to us a couple of minutes
4 ago.

5 CHAIRMAN STRICKLAND: Okay. You may well be
6 correct on that, I can't argue the point, one way or
7 the other.

8 So, what we will do is poll the board, and we
9 will certainly welcome suggestions for any other
10 locations in connection with that poll, if that is
11 satisfactory. Okay?

12 Then let's take up -- notwithstanding the
13 view that it might be out of sequence, let's take up
14 item 20, which is consider and act on Director
15 Fuentes's suggestion that the board meet more
16 frequently. This item is reappearing on the agenda. I
17 think we had it on the agenda at our last meeting. But
18 we're going to entertain any discussion on that topic.

19 Do you want to take the lead on that, Tom?

20 CONSIDER AND ACT ON DIRECTOR FUENTES' SUGGESTION

21 THAT BOARD MEET MORE FREQUENTLY

22 MR. FUENTES: Mr. Chairman, it comes as a

1 surprise to me that it's on the agenda again, because I
2 believe that if we go back and look at the conversation
3 the last time that it was before us, I said that I had
4 raised this comment in the context of the board having
5 the opportunity to have more timely exchange of
6 information, and the opportunity to more frequently
7 have input to the conduct of the business of the
8 corporation.

9 There was not a specific recommendation or
10 request on my part for action, but rather, I raised the
11 point that I felt that we receive this agenda book once
12 a quarter. That is -- there is not a lot of exchange
13 in the meantime between those meetings, or among those
14 meetings, that perhaps telephonic meetings might be
15 appropriate.

16 I believe that at the time that that point
17 was raised, there was some response about Sunshine Act
18 discussions and that kind of consideration. So it is,
19 again, an opinion that I think we could yet improve
20 further our exchange of information and dialogue among
21 this board, but not a specific request for eight
22 meetings, or --

1 CHAIRMAN STRICKLAND: Okay.

2 MR. FUENTES: -- seven meetings, or --

3 CHAIRMAN STRICKLAND: I think -- I don't
4 remember where I heard it, but -- somebody correct me
5 if I'm wrong, but did somebody report yesterday that a
6 combination of in-person and telephonic meetings last
7 year, the total was 10? Is that right? Somebody
8 remember that?

9 MR. FUENTES: You said that.

10 CHAIRMAN STRICKLAND: Did I say it?

11 (Laughter.)

12 MR. FUENTES: Mr. Chairman, let me say that I
13 recall it was very well said.

14 (Laughter.)

15 CHAIRMAN STRICKLAND: I certainly walked into
16 that trap. Charles, do you have some input on that so
17 you can bail me out?

18 MR. JEFFRESS: I was just going to confirm.

19 CHAIRMAN STRICKLAND: Thank you.

20 MR. JEFFRESS: You're, actually I think, nine
21 meetings, counting the telephonic and the in-person
22 meetings. We had five in-person, we had two telephonic

1 meetings. As you recall, on the SARs we had a
2 telephonic meeting in December, we had another
3 telephonic meeting following the September meeting, to
4 follow up the fiscal practices report. So, there were
5 a number of those telephonic --

6 CHAIRMAN STRICKLAND: And we had a fifth
7 in-person meeting last year, as I recall, didn't we?

8 MR. JEFFRESS: Yes. In addition to the four
9 scheduled ones, we had one in September --

10 CHAIRMAN STRICKLAND: Right.

11 MR. JEFFRESS: -- to discuss where we were on
12 the congressional investigation and the IG report.

13 CHAIRMAN STRICKLAND: All right.

14 MS. PHILLIPS: Mr. Chairman?

15 CHAIRMAN STRICKLAND: Yes?

16 MS. PHILLIPS: I agree with Tom. I think we
17 should have more meetings, whether it's personal or
18 over the -- I mean in person or over the telephone. We
19 just don't have enough time to get through this
20 material like we should, I believe. And we rush
21 sometimes through the most important parts. So I
22 absolutely agree with Tom, I think we should have more

1 meetings.

2 CHAIRMAN STRICKLAND: Mike?

3 MR. MCKAY: A couple of things. Yes, we -- I
4 don't disagree with what's been said here. Indeed, I
5 agree. I -- but we also have to be mindful of our role
6 as a board, as opposed to a hands-on, you know,
7 full-time management staff.

8 But I agree with Bernice, certainly. You
9 know, we do feel rushed, and I'm not entirely sure that
10 more board meetings will help. I mean, what we did
11 last year, I thought was good. We had an extra board
12 meeting, because it was required, and of course we had
13 our telephonic conferences.

14 I will invite the board's attention to the
15 fact that the committees sometimes have additional
16 meetings. Ops and regs is going to be meeting between
17 now and our next meeting. There is the
18 possibility -- I may be speaking out of school -- the
19 finance committee might meet, because there are issues
20 that are popping up we might want to focus more.

21 And so, I think we could be more -- we could
22 be prudent with the use of our time as well. Instead

1 of having the whole board, we could be more surgical
2 with the committees, by having meetings as well. But I
3 think this is an important issue, but there is more
4 than one way to do it.

5 CHAIRMAN STRICKLAND: Thank you for all those
6 suggestions. So we will take all that under
7 advisement, and --

8 MR. GARTEN: Can I just comment?

9 CHAIRMAN STRICKLAND: Yes.

10 MR. GARTEN: I think we have had discussions
11 about this. And it would be up to the chair, when
12 necessary, to call a meeting of the board. And I would
13 not be in favor of increasing the regular number of
14 board meetings beyond the four that we have, but I
15 would certainly give wide discretion to the Chair to
16 call additional meetings in person, or telephonic when
17 necessary. And, of course, the committee chairs, in
18 addition to that.

19 CHAIRMAN STRICKLAND: And the chair did do
20 that for the September meeting last year. That was a
21 discretionary call.

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1 PUBLIC COMMENT

2 CHAIRMAN STRICKLAND: All right. Is there
3 any public comment? Yes, please come forward.

4 MS. WALLACE: Good afternoon. For the
5 record, and if you still have someone on the phone,
6 JoAnn Wallace, president and CEO of the National Legal
7 Aid and Defender Association.

8 CHAIRMAN STRICKLAND: We welcome you to the
9 table.

10 MS. WALLACE: Thank you. Chairman
11 Strickland, and members of the board, Ms. Barnett, I
12 would like to very briefly comment regarding the client
13 grievance procedure regulation.

14 This regulation stands at the heart of the
15 relationship between your grantees and the clients they
16 serve. It states a strong commitment to the client
17 community of accountability for the provision of
18 high-quality legal assistance, and guarantees a process
19 to resolve complaints, that treats them fairly and with
20 dignity.

21 NLADA applauds the action on the regulation,
22 and we want to thank the board and the staff for the

1 process that resulted in the revisions. We commend you
2 for creating opportunities for leadership, the
3 leadership that the client representatives exercise
4 throughout this process, your two regulatory workshops,
5 the committee meeting yesterday, and the other meetings
6 through which you invited and received comments upon
7 your proposed revisions to 1621.

8 Your recognition of client input into the
9 regulatory process sends a clear message to communities
10 that you take very seriously your responsibility to
11 increase access to justice.

12 The process was also extremely valuable to
13 NLADA. We are proud of the diverse constituencies that
14 make up NLADA, whose interests we represent. Trust me,
15 though. Creating consensus among the civil client and
16 defender communities is sometimes challenging, let me
17 say, to say the least. But our diversity is also our
18 strength.

19 Your revision process has created a very
20 healthy dialogue among the client and civil program
21 representatives among NLADA's governing structure,
22 among many client and attorney leaders from your

1 grantee's boards across the nation, and even as you
2 heard yesterday, among our civil and defender
3 advocates.

4 The frank and productive discussions among
5 providers and the clients they serve will strengthen
6 NLADA's ability to represent all of our constituencies,
7 and future interactions with LSC and other important
8 stakeholders in the justice system.

9 I would like to particularly thank Chairman
10 Meites and Ms. BeVier, and your committee, for agreeing
11 to extend the comment period to accommodate NLADA's
12 additional deliberations around the regulation. We
13 appreciate your genuine consideration of our comments
14 as elucidated in the supplementary information
15 presented in connection with your final rule, and
16 demonstrated yesterday by your conversation with
17 NLADA's vice chair, Rosita Stanley.

18 Lawyers alone cannot make equal justice a
19 reality. We have to enlist the clients and communities
20 we serve as full partners. The adoption of the final
21 rule today reflects well on that partnership, and I
22 believe on our ability in the future to co-labor, to

1 co-produce justice. So, we thank you.

2 CHAIRMAN STRICKLAND: We thank you very much.

3 Does anyone have any questions for JoAnn?

4 (No response.)

5 CHAIRMAN STRICKLAND: Hearing none, we thank
6 you again for your presentation.

7 CONSIDER AND ACT ON OTHER BUSINESS

8 CHAIRMAN STRICKLAND: Consider and act on
9 other business. Is there any other business?

10 (No response.)

11 CONSIDER AND ACT ON WHETHER TO AUTHORIZE AN
12 EXECUTIVE SESSION OF THE BOARD

13 TO ADDRESS ITEMS UNDER CLOSED SESSION

14 CHAIRMAN STRICKLAND: And now, consider and
15 act on whether to authorize an executive session of the
16 board to address the items listed below under closed
17 session.

18 M O T I O N

19 CHAIRMAN STRICKLAND: Is there such a motion?

20 MR. MCKAY: So moved.

21 MR. FUENTES: Second.

22 CHAIRMAN STRICKLAND: Any discussion?

1 (No response.)

2 CHAIRMAN STRICKLAND: All those in favor,
3 please say aye.

4 (Chorus of ayes.)

5 CHAIRMAN STRICKLAND: Opposed, nay?

6 (No response.)

7 CHAIRMAN STRICKLAND: The resolution is
8 adopted, and we will now take about a minute, and then
9 go right into closed session.

10 (Whereupon, at 2:45 p.m., the meeting was
11 adjourned to closed session.)

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