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LEGAL SERVICES CORPORATION BOARD OF DIRECTORS

AUDIT AND APPROPRIATIONS COMMITTEE BRIEFING

OPEN SESSION



Thursday, July 14, 1994

6:12 p.m.

The Legal Services Corporation 750 First Street, Northeast, 11th Floor THE BOARD ROOM Washington, D.C. 20002

> Diversified Reporting Services, Inc. 918 16th STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

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BOARD MEMBERS PRESENT:

Maria Luisa Mercado, Chair Ernestine P. Watlington Edna Fairbanks-Williams

STAFF PRESENT:

Patricia D. Batie, Secretary David L. Richardson, Comptroller and Treasurer Edouard Quatrevaux, Inspector General Gerry Singsen

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1	PROCEEDINGS
2	CHAIRPERSON MERCADO: Let me go ahead and call the
3	meeting of the Audit and Appropriations Committee Meeting to
4	order. If you will please note for the record that we just
5	received information recently within the last couple of
6	minutes that Mr. Broderick won't be making the meeting.
7	Therefore, we won't have a quorum, starting this
8	evening. And what I intend to do is take the action items on
9	this agenda for the morning. Mr. Broderick should be here
10	later on in the evening, as well as Mr. Smegal. And Doug
11	Eakeley will be in in the morning, as well.
12	What I would like to do, Madam Secretary, in the
13	morning is to actually ask the committee members once they're
14	present for some reorganizing of the agenda. My
15	understanding is that Mr. Broderick will be gone during some
16	portion of that meeting. So I would like to take the action
17	items first, but I'm not sure yet at what point in time in
18	our agenda. But we would like to have the flexibility to do
19	that.
20	At this point, since I have no one to approve the
21	agenda or anything else, the minutes, what I will do is go
22	ahead and defer the approval of the agenda and the minutes
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1	for tomorrow morning when we will have a quorum for sure.
2	And we will, at this time, take on item 3 of the agenda,
3	which is consideration and review of budget and expenses for
4	period ending May 31, 1994. Mr. Gerry Singsen and Mr. David
5	Richardson will be presenting on that issue.
6	Gentlemen, the show is yours.
7	Now, I have the this is in addition to what we
8	have in our workbook, June 30, 1994, right, the estimate?
9	MR. RICHARDSON: That is correct.
10	CHAIRPERSON MERCADO: That was not in the work that
11	we had.
12	MR. RICHARDSON: That's correct. At the last
13	meeting, I was asked to try to close the books early enough
14	so that we could have this. We did look at the May expenses
15	in the draft at the last meeting. If you prefer, we can go
16	through those again, or June. They're really approximately
17	the same, except for the management and administration. I
18	can highlight the differences for you, the main one being
19	within the delivery of legal assistance.
20	I will note to you that there was a \$500,000
21	addition to the budget for the special emergency funds that
22	came in for the Southern California earthquake victims. That
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1	money has been disbursed, also, to the grantees in that area
2	to help them repair buildings and to accommodate the
3	additional needs for employment for personnel because of
4	the surge in demand for that area.
5	Another change between and that's actually the
6	same in May and June. One of the differences that we do have
7	between May and June is that originally, we were showing
8	\$64,000 as a contingency, as not being
9	CHAIRPERSON MERCADO: In what particular
10	attachment?
11	MR. RICHARDSON: In the migrant. I'm sorry. How
12	would you like to proceed? Would you like me to do May and
13	then go through June?
14	CHAIRPERSON MERCADO: Why don't we go ahead and go
15	through May? Because I had a couple of questions on May.
16	And then we can go through June, and you can point out the
17	particular differences, since I haven't reviewed that yet.
18	MR. RICHARDSON: We can do that. For the delivery
19	of legal assistance, the budget this year was the
20	\$368,413,000. We contracted to date 365,807,000, with the
21	remaining funds of 2,606,000.
22	CHAIRPERSON MERCADO: Mr. Richardson, before we
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1	continue with that, which is attachment B, I had a question
2	on attachment A. On the 478,993 of funds that have not been
3	allocated for FY '94 that's the last column, if you'll
4	note, under Roman numeral II?
5	MR. RICHARDSON: Yes.
6	CHAIRPERSON MERCADO: Are these funds that are
7	going to be used to retire or reduce part of our deficit?
8	MR. RICHARDSON: That is correct. That was the
9	plan that was laid out the first of the year.
10	CHAIRPERSON MERCADO: Okay, because that becomes
11	pertinent later on in some things that we're looking at, and
12	I wasn't real sure. I know that you have it down here, but
13	somewhere else, I saw the number, and it looked different.
14	So I wasn't sure whether or not, in effect, that 478,993 was
15	going to be used for deficit reduction. And it is?
16	MR. RICHARDSON: Yes. When we adopted the budget,
17	you'll see the projected on attachment A of 526,000, the very
18	first column under Roman numeral II. We have actually
19	collected 553 to date. And, of course, we have three more
20	months to go.
21	In May, there was a reallocation or allocated
22	75,000 into the budget of the other funds into the total that
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went into management administration. So the 553 -- almost
 \$54,000 that has been collected, there is remaining \$479,000,
 basically.

4 CHAIRPERSON MERCADO: Go ahead. MR. RICHARDSON: Okay. Let me go ahead and skip 5 down to C, which is a little more detailed than the summary 6 B. And I had started going through Roman numeral I. And 7 I'll go down to A, as we were looking there, with the field 8 programs. The 365 million is the total of all the field 9 programs, the basic field, Native American, migrant, the 10 special emergency, and the U.S. Court of Veterans Appeals 11 12 funds. The basic field programs, we have budgeted 13 342,241,000. We have contracted through May \$341,795 -- or, 14 15 excuse me, \$341,795,000. The remaining 445,000 is money that 16 is allocated to month-to-month funding, with the exception of

The Native American program, we have a budget of 9,030,000. We have contracted to date 8,912,000. There's a remaining balance of \$117,000. Of that amount, 69,000 is for a short-term funded program. There's \$47,918 that remains unallocated.

\$73,000 which remains unallocated at this time.

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1	Within the migrant line, we have a budget of
2	\$12,788,000. Contracted to date is 12,724,000. The
3	remaining balance is 64,195. This is the one area that has
4	changed with the June reporting, because this money has now
5	been allocated to a Kentucky migrant program and has been
6	totally expended.
7	The special emergency funds, we have a budget of
8	\$536,000. We have spent so far \$506,000. There's a
9	remaining balance of 29,000. We got a grant recovery in this
10	particular line, so when you look at June, this one actually
11	increased \$2,900. So we now have over \$3,200 in this line.
12	This is dedicated, of course, to the earthquake and those
13	other emergencies that we need to respond to.
14	The Court of Veterans Appeals, we have a budget of
15	836,000, contracts to date of 458, and we have a remaining
16	\$378,000. This also went down with the remaining awards
17	posted in June. And there's, I think, \$73,000 remaining of
18	this money.
19	In the supplemental service provision, which
20	includes the law school clinic supplemental field programs,
21	the law school grants have not been made for this year yet.
22	They'll be made in the month of July and August. We have a
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1	budget of \$1,706,000. We have spent this year 135,000. So
2	the balance of 1,571,000 will be for this year's law schools.
3	CHAIRPERSON MERCADO: I had read a memorandum, I
4	think, from Mr. Tull, I guess, in the law school clinic and
5	recruitment programs. And there was some discussion about
6	the fact that these funds needed to be allocated, or at least
7	the professors of the clinical schools that wanted funds from
8	particular programs needed to have the funding, generally, in
9	February.
10	So are we going to go ahead and allocate these
11	funds and then, if we get some new funds for the coming year,
12	those will be done in February and then just sort of start a
13	February cycle, or did I misread that somehow?
14	MR. RICHARDSON: No, I think that's correct. We
15	have now made grant awards and announced them for the law
16	school clinic money that's in the 1994 budget. Those grants
17	will go out once the period of notification has been
18	completed. And they will be put in use, most of them, during
19	the fall and the following spring of '94-'95, the academic
20	year 1995.
21	But some of them won't actually start getting used
22	until a little later, the spring of '95 and the fall of '95,
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because the timing of the grants makes it pretty difficult to 1 start up new ventures by the fall, so that the timing cycle 2 for next year's grant awards to law schools probably needs to 3 move a little earlier in the year so that it can be on the 4 same time level as the planning for academic years. 5 Obviously, we'll be consulting with the law schools 6 and the programs that are collaborating with them to see what 7 time frame makes the most sense. But we should be able to 8 meet that time frame this time around. 9 CHAIRPERSON MERCADO: I would think that that means 10 that we have to have proposals out to them a lot earlier, 11 also, from our standpoint, to make sure that we can get that 12 in there. Okay. Go ahead. 13 MR. RICHARDSON: As far as under the supplemental 14 field programs, we have a budget this year of 1,274,000. 15 And all of that money has been allocated and contracted, so 16 there's no remaining funds there. 17 CHAIRPERSON MERCADO: What different programs were 18 19 in supplemental field programs? I didn't have the detailed budget that we have in the other book, and I couldn't 20 21 remember why some of them were there that we had under that 22 category.

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MR. RICHARDSON: They're mainly adjudicare
 programs, such as Wisconsin Adjudicare, Mississippi
 Adjudicare.

MR. SINGSEN: And pro bono programs. They date back to the end of the delivery system study that the corporation conducted between 1976 and 1980. These were the programs that were most successful in delivering services using private lawyers, either in adjudicare, contract, or pro bono models. And they were continued as regular grantees, while most of the demonstration programs were phased out.

11 So there are community law offices in New York, 12 there's the San Francisco Bar's pro bono program, there's a 13 New Hampshire legal assistance and New Hampshire Bar 14 Association joint program. I think Vermont legal aid is 15 another one. Here, Legal Counsel for the Elderly in the 16 District of Columbia, Betzedek Legal Services located in Los 17 Angeles.

18 Wisconsin Adjudicare has been mentioned,
19 Mississippi Adjudicare, the Charles Houston Bar Program in
20 Oakland. I think those are most of them.

CHAIRPERSON MERCADO: Nothing in the Southwest?
 MR. SINGSEN: Except for Los Angeles.

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1	CHAIRPERSON MERCADO: "West" West?
2	MR. SINGSEN: I don't think so, although I'm doing
3	this from memory, so I may be missing one.
4	CHAIRPERSON MERCADO: I just don't recall any of
5	this, why that didn't come to mind. I didn't remember any
6	adjudicare programs in the Southwest.
7	MR. SINGSEN: Actually, in the materials for
8	tomorrow's discussion, I'll check that now. There may be a
9	list of them in the supplemental field appendix. So let me
10	check that while we go forward, and I'll see if there's any
11	in the Southwest.
12	CHAIRPERSON MERCADO: Because you have a totally
13	different type of population, both between Native American
14	and a lot of monolingual Spanish-speaking client communities
15	that would be a different type of elder care problem that you
16	run into than you would in the other population centers that
17	you get into. I was just curious, when they're trying to
18	sort of service or target certain kinds of groups as to
19	MR. SINGSEN: The only one I left out was Legal
20	Services of Middle Tennessee. And no, there is nothing in
21	the Southwest that came through the delivery system study and
22	was recommended to the board in 1980 for continuity. I
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don't, frankly, remember which demonstration programs were in
 the Southwest or why those particular ones weren't
 recommended for continuation.

CHAIRPERSON MERCADO: Because I see this a lot in -- and, of course, there's also a lot of rural care, also. And I see that in quite a lot of the programming, whether it's health care clinics or legal services or any other kinds of things. For some reason, the whole area just sort of generally gets omitted and stuff.

MR. SINGSEN: When we're dealing with private 10 attorney involvement, rural areas are a special problem. Ι 11 know, for example, in New Mexico that they have had a lot of 12 trouble finding lawyers to do pro bono or contract cases 13 outside of the cities. Three of the adjudicare programs --14 15 three of the supplemental field programs are rural in their focus -- New Hampshire, Vermont, and I'm forgetting the other 16 There is a third one. 17 one now.

18 CHAIRPERSON MERCADO: Well, I know in West Texas, 19 there are PI contracts with attorneys in the rural 20 communities that are based out of those areas, usually within 21 a 15-mile or 100-mile radius out of that area where they do 22 have pro bono or PAI. And, aside from the monthly

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programmings, I think that came out of, for example, the
 Lubbock area or the Morale area. And I was just curious
 about what else was being done in other areas.

MR. SINGSEN: Why don't I pull out the list of programs that were doing various kinds of private attorney involvement demonstrations as part of the delivery system study. We'll at least be able to see, then, who it was that was trying out methods from the Southwest.

9 CHAIRPERSON MERCADO: Well, I know that the 10 Provisions Committee is supposed to look maybe a little more 11 in-depth to PAI. And, of course, this committee ultimately 12 has to decide whether or not we want to continue the type of 13 contracting we have up until now. And so that information 14 will be important for us. But in any event, I can take note, 15 there are no adjudicare programs in the Southwest.

16 MR. RICHARDSON: On page 16 of our Board book, we 17 have the support for the delivery of legal assistance. The 18 total budget for the support area is \$22,796,000. To date, we have contracted 22,469,000, almost \$70 million. 19 So there's a remaining balance of \$326,000. There are plans 20 underfoot for some of this money now that are being made, but 21 22 there's 100,000 -- let me go down to the state support when I

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1 get there.

2	In the regional training center, the 795,000 is
3	completely spent, the budget there. Under the other support
4	with the national support, the 9,685,000, we have contracts
5	to date of \$9,508,000. This is the balance of the
6	contingency funds, but there are some plans that are being
7	put together for some trainings and some other events in this
8	particular area through the OLSBUC group.
9	In the state support, we have a budget of
10	10,564,000. To date, we have contracted 10,414,000. There's
11	a balance of 149,000. A hundred thousand of that is for the
12	five new support centers in the states or territories that
13	did not have them. So there's actually \$49,825 in the state
14	support that is a contingency that is not allocated at this
15	point. But again, there has been some plans put forth or
16	there is some planning to be using this money in the field in
17	the future.
18	In the clearinghouse line and the CALR, all the
19	money has been spent. The clearinghouse, the 1,101,000 and
20	in the CALR, 651,000, all of that money has been allocated.
21	Within the management and administration, we have a
22	budget of \$10,665,000. That's made up, of course, of two
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categories, the management and administration area and then 1 the Board initiatives. Management and administration has 2 budget of 10,304,000. We have through May spent 6,783,000. 3 So there's a remaining balance of 3,521,000 to support us 4 5 through the remainder of the year. 6 In the Board initiatives, there was \$360,000. The amount spent was 138,000. That should be broken down into 7 three areas. We have the presidential search. We had spent 8 \$52,900. The NOCA grant, 15,000 has been awarded. And then 9 10 the competition initiative. There was \$70,444 spent there 11 through May. 12 CHAIRPERSON MERCADO: That's on page 22, right? 13 MR. RICHARDSON: Yes. You'll see that in the foot 14 notes, yes. CHAIRPERSON MERCADO: The one thing that I wondered 15 about in that footnote in attachment D where you have the 16 line item legislation corporation designated --17 18 MR. RICHARDSON: Yes? CHAIRPERSON MERCADO: We had had 189,862 to the 19 competition initiative designated. It wasn't real clear. 20 Is 21 that is what is left of what we originally started with with 22 our budget, or --

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1	MR. RICHARDSON: Okay. Under the competition
2	initiative, the original budget was \$260,000. So they have
3	spent 70. The 189,000 is the remaining balance of what the
4	corporation set aside for that initiative.
5	MR. SINGSEN: Madam Chair?
6	CHAIRPERSON MERCADO: I guess that heading still
7	has me confused, "legislation corporation designated."
8	MR. RICHARDSON: One of the reasons that I used
9	that for instance within the migrant program, there was new
10	money there of and I don't have the exact figure, but
11	basically \$50,000 for a Kentucky migrant program. And then
12	the corporation had left money in there from prior years that
13	was set aside for Kentucky, leaving that so that money could
14	be combined for the start-up cost of getting that program
15	going. Legislatively, we also have the law school clinic
16	money there and the Court of Veterans Appeal.
17	CHAIRPERSON MERCADO: So you're talking about as
18	far as riders put into our appropriation bill specifically
19	for that. For some reason, I just got confused by the
20	heading when I was looking through them.
21	MR. SINGSEN: I have just one other note.
22	CHAIRPERSON MERCADO: Yes.
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1	MR. SINGSEN: On the corporation-designated funds
2	for the competition initiative within Board initiatives,
3	certainly, the current look at the two appropriations bills,
4	the House and the Senate committee versions, suggest that we
5	may not be funding the completion of the competitive
6	competition initiative in the next fiscal year.
7	If that is true, we may not completely expend the
8	money that has currently been committed by the Board to the
9	competition initiative. The Board may wish to decide to free
10	that money from that designation if it decides not to go
11	forward and complete the last phase of the competition
12	initiative, so that there may be some funds that become
13	available in Board initiative as a result of the low level of
14	next year's appropriation.
15	CHAIRPERSON MERCADO: Okay. Go ahead.
16	MR. RICHARDSON: Page 18, again, repeats the other
17	funds available, the grant recoveries and interest income.
18	So I won't repeat those. But Schedule D does give you a
19	breakdown by budget category as far as how much personnel
20	compensation has been spent for each of the department
21	budgets, the office budgets, along with each of the other
22	categories, "temporary employees," "personnel benefits,"
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"consulting," so forth.

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2	We see that through May, the Board of Directors has
3	spent basically \$201,000. The executive office has spent
4	542,000; the inspector general, 698,000; the general counsel,
5	488,000; human resources, 239,000.
6	And I'll note, at this point, there are a couple of
7	expenses that will come into play in the human resources that
8	come in in the next quarter. Federal worker's compensation
9	will come in here. We have budgeted \$25,000 for that this
10	year. And so that will be a significant jump when you look
11	at the percentages that the benefits line will go up in the
12	next quarter because of that.
13	Within the comptroller's office in administration,
14	we have spent \$2,216,000. And the program monitoring
15	evaluation analysis, we have spent \$1,738,000, basically.
16	And the office of program services, \$661,000. The total
17	expenses, of course, will match back to Schedule C, which
18	will be the \$6,783,000.
19	What you see in attachment E is the budget. In
20	each of the budget categories, "compensation" you'll see

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of 65.83 percent at this time. And the budget through May

at the bottom right-hand corner we have a percentage amount

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1 should show 66.67 percent.

2	So we're actually just under budget. And so we
3	should not have a problem in the next quarter, plus a month,
4	with May here. We have June and then the last quarter, and
5	so we should not have a problem staying within the budget
6	that we have.
7	CHAIRPERSON MERCADO: I had a question as far as
8	the on personnel compensation, we had 70.81 percent
9	expended. And then temporary employee pay, 38.67 expended.
10	Had we put temporary employees that were during the
11	transition team time period under "personnel compensation,"
12	or were they under the "temporary employee pay"?
13	MR. RICHARDSON: Actually, there's a bit of a split
14	there. Most of the employees are through the "personnel
15	compensation." And the reason that that is 70 percent, which
16	is over the 67 percent, of course, is because of the payout
17	to the people who have left the corporation. So that
18	percentage will start coming down.
19	As far as temporary employees, we have a couple of
20	employees that have been budgeted for the next four months
21	through the temporary employee pay. They're not regular
22	employees, so they're here on short-term contracts.

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22 CHAIRPERSON MERCADO: So they don't get any of the 1 personnel benefits or anything else like that, right? 2 MR. RICHARDSON: That's correct. 3 4 MR. SINGSEN: Just a note. Comparing the May and 5 June statements, one-twelfth of the year is 8.3 percent. And in May, our compensation was at 70.8, so that if we had gone 6 7 up another one-twelfth, we would have ended up with 79.1 percent expended in June. In fact, it shows 78.2. So, as 8 David has indicated, it did not go up a full twelfth. It is 9 coming back towards the predicted line. 10 11 CHAIRPERSON MERCADO: Go ahead. MR. RICHARDSON: Basically, that would complete the 12 review of May. Would you like to go ahead and go through 13 I tried to highlight most of the changes. June? But review 14 the June budget, at this point. 15 16 CHAIRPERSON MERCADO: In the June attachment A, 17 Roman numeral II, under "nonallocated funds," this is what 18 you were talking about, where we were raised up to 512,000, rather than the 478 that we had earlier. 19 20 MR. RICHARDSON: Yes. We have received additional 21 interest and grant recoveries. 22 MR. SINGSEN: Madam Chair? **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

CHAIRPERSON MERCADO: Yes.

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1	CHAIRPERSON MERCADO: 185.
2	MR. SINGSEN: As you'll note in the June statement,
3	our original projection was that we would have a total of
4	527,000 or so from these nonallocated funds and that that
5	would go over against the deficit. In April, we had
6	allocated 75,000 I'm sorry. In May. And even with that,
7	it currently looks as if our nonallocated income will exceed
8	our original projection of 527,000.
9	As a result, there will be some additional funds
10	beyond our projection at the year end which we could use to
11	apply to the deficit and reduce it a little more or which the
12	Board could carry over and use in some other fashion.
13	CHAIRPERSON MERCADO: Yes, because right now, we
14	have got over the amount we would need for the deficit
15	reduction if we were going to do it in a two-year period of
16	time. We're already beyond the half mark on the funds that
17	haven't been allocated that we can use for the deficit
18	reduction. Is that right?
19	MR. SINGSEN: Yes. But the portion of the deficit
20	reduction from Virginia Avenue rent in 1994 is slightly
21	higher than the portion in 1995. So we would we had
22	planned to have a slightly larger than half the total deficit

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reduced during 1994. And that will be accomplished if the 1 figure 512,000 grows to 527,000 before the end of the fiscal 2 year, which it clearly will. We're earning more than \$30,000 3 4 each month in interest, at this point. 5 CHAIRPERSON MERCADO: So for this year is where we have the 1,260,411 is where we wanted to do a deficit 6 7 reduction; and then for next year, the 1,200,892. Right? MR. RICHARDSON: That's correct. And, actually, if 8 everything holds as it appears it will, at this point, as far 9 as expenses, we are, say 2 and-a-half percent under our 10 budget right now. Well, that's another \$250,000 that could 11 go to the bottom line or could be carried forward for 12 operations next year, again, if we remain status quo through 13 the remainder of the year. And that should grow a little bit 14 15 more. 16 CHAIRPERSON MERCADO: I'm just trying to make the 17 changes in my June statement from my May statement, make sure I'm not missing any of the notes. The only item on 18 attachment C, page 1 of 4 on the June statement was just the 19 20 category under Roman numeral IA4, the 32,150, right, on the last column, was the only change that we had? 21 22 MR. RICHARDSON: Actually, there's a few more. **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

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25 CHAIRPERSON MERCADO: No. And also, the U.S. Court 1 of Veterans Appeal had also changed. 2 3 MR. RICHARDSON: Right. And also, the migrant funding, the 64,000, is now zeroed because the expenses have 4 increased from 12,724,000 to 12,788,000. 5 6 Gerry has just mentioned that you might question why the basic field remaining funds did not go down. 7 It's because I've changed my terminology a little bit because 8 we're not doing month-to-month funding. They have been 9 funded on a quarterly basis. 10 11 So that's one of the reasons you'll see in my 12 literature that I've changed it to short-term funded. We had 13 a couple that first of the year was two months, and the one remaining program that is on short-term funded is on 14 quarterly funding, at this point. 15 CHAIRPERSON MERCADO: And that's the 445 that is 16 left? 17 18 MR. RICHARDSON: That's correct. 19 CHAIRPERSON MERCADO: Will all of that be expended 20 once we use up all their quarterly basis --21 MR. RICHARDSON: No, ma'am. There is still \$73,000 22 that is a contingency that can be allocated to the programs. **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

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1	CHAIRPERSON MERCADO: Okay.
2	MS. FAIRBANKS-WILLIAMS: So you said there was no
3	more month-to-month left?
4	MR. RICHARDSON: There is of the 445,000, there
5	is month-to-month funding of 372,000. So there's a
6	contingency of \$73,000 remaining.
7	MS. FAIRBANKS-WILLIAMS: And how many programs is
8	this that are on month-to-month?
9	MR. RICHARDSON: One program. Same thing with your
10	Native American program. There is one program in that line
11	that is on, and that's actually a reimbursable contract.
12	You'll note, also, as you're comparing under the
13	law school grant, there was one law school grant that was
14	awarded last year that was a part of the carry-over funds
15	that has now been awarded. So that did go the expenses
16	went up \$75,000.
17	CHAIRPERSON MERCADO: On attachment C, page 3 of 4,
18	are those accurate costs for the end of June expenses, or is
19	that still on an estimated basis?
20	MR. RICHARDSON: Well, that's everything that
21	has been paid and that we have been able to accrue identifies
22	an expense through June 30.
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1 CHAIRPERSON MERCADO: I know there had been some 2 discussion earlier that we might have just estimates of the 3 June expenses rather than actual, so that we would have a 4 definite figure of remaining funds.

5 MR. SINGSEN: Perhaps it would be appropriate to 6 just mention this. Obviously, Mr. Richardson was able to 7 bring the month's expenses at the end of June to a close and 8 record them and put them into the proper presentation form in 9 just 14 days, with the 4th of July in there, too. There was 10 a little bit of pressure to do it.

On a very small matter, as the Board considers its 11 meeting schedules in the future, if you find it useful to 12 have expenditures information, as I think you probably do, on 13 14 a more current basis than has been possible until now, you 15 might think about scheduling meetings around the 20th of the 1.6 month instead of the 10th of the month. Because it's 17 possible to do this if it's the 20th, but not if it's the 18 10th.

19 CHAIRPERSON MERCADO: Let me see. I know there's 20 several months that are already taken, and we're probably not 21 going to change. But we will definitely recommend to the 22 rest of the Board for financial purposes to do that. I think

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August and September are pretty much set the way they are 1 I don't know whether Mr. Brooks already has everything 2 now. lined up for Boston. So we can check on that. 3 MR. SINGSEN: Just a future consideration to keep 4 5 in mind when it doesn't make a difference. CHAIRPERSON MERCADO: Maybe we can do it for the 6 next fiscal years, to get them all around the 20th or so. We 7 can get that. And no one told us that at the beginning. We 8 could have scheduled them to accommodate our financial 9 10 statements. Let's see. On attachment D, 3 of 4, the main 11 categories really dealt with the federal worker's comp 12 expenditure that you're having; is that correct? 13 MR. RICHARDSON: That's correct. 14 If there's any other 15 CHAIRPERSON MERCADO: particular item that I'm not noting that I've overlooked, 16 17 please make sure and note it so that we can at least reflect it for the record. 18 MR. RICHARDSON: I do not believe so. After a 19 review that we had this weekend going through it, that is the 20 significant item that would increase immediately. 21 There's 22 one other item that comes quarterly, and that's the D.C. **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

unemployment tax that will be paid next week. So again, it
 should be in the area of about \$25,000. And then the rest of
 the expenses that we have are mainly those that are
 reoccurring.

5 CHAIRPERSON MERCADO: And then attachment C, page 4 6 of 4, we just had the added interest income which increased 7 our remaining fund balance to 512,411. The total amount went 8 down to 6,006,759, whereas in May, we had the 7,155,012. 9 That's the overall funds available. Had we not -- I'm trying 10 to figure out --

MR. RICHARDSON: Of course, the significant change there is the operations of management administration, because that went from 6,007,000 to 7.4. So that's basically 800,000 of it. Then, with the law school grant of 75,000, and then the Court of Veterans Appeal, that would make up the difference.

17 CHAIRPERSON MERCADO: Okay. I was just curious 18 where in the worksheets that we have we have the item that 19 deals with the deficit reduction. I know we have it in the 20 general summary statement, but I didn't see it in the 21 worksheet.

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MR. RICHARDSON: You'll only see it on the

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1	attachment A, which is the projection of the statement of
2	funds available and the fund balance.
3	CHAIRPERSON MERCADO: On the June statement, did we
4	have never mind. I just saw it in the footnotes to
5	attachment C, so that's okay. I found it. I just wanted to
6	make sure that we had up to date whatever our costs were on
7	the search. It's in the attachment.
8	Are there any particular items in either attachment
9	D or E that you want us to take note of other than what we
10	have already discussed, comparing the May financial
11	statement?
12	MR. RICHARDSON: No, ma'am, not at this point.
13	When we will, of course, be working on projections, we'll be
14	coming forth with those for you in August. There will be a
15	need for some internal budgetary adjustments. Happy to
16	report to you that we have two subleases at 400 Virginia
17	Avenue. We have had to pay the consulting fee, the
18	realtor's commission there. So that will be additional help
19	for us toward the deficit reduction plan in the coming
20	months.
21	CHAIRPERSON MERCADO: How much of the space are we
22	going to get?
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1	MR. RICHARDSON: It was not that much, as far as
2	the space. As I recall, it's in the neighborhood of I
3	will double check the figure, but about \$7,000 additional a
4	month income that will be generated.
5	CHAIRPERSON MERCADO: I guess we'll just use that
6	for deficit reduction.
7	MS. FAIRBANKS-WILLIAMS: Is that \$7,000 a month on
8	top of what we're paying for Virginia Avenue, or you mean
9	you're deducting the \$7,000 from what we're paying Virginia
10	Avenue?
11	MR. RICHARDSON: It would actually be a \$7,000
12	reduction from what we're paying Virginia Avenue. We have to
13	pay the lease. The lease is \$115,000. And I think, at this
14	point, we're collecting in the neighborhood of \$35,000 a
15	month. So this would be an additional seven on top of that.
16	But I'll get the exact figure and have that for you tomorrow.
17	CHAIRPERSON MERCADO: Do any of the Board members
18	have any questions in particular about the budget items?
19	MS. WATLINGTON: Actually, on the search, did the
20	search committee stay within the budget, or did they exceed
21	it?
22	MR. RICHARDSON: It appears at this point that we
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32 have stayed within it. We are going to be reviewing the 1 expenses, like I said, in the next three weeks. And there 2 may be some adjustments toward it. But it appears that we're 3 8 to \$9,000 within the budget. 4 MS. FAIRBANKS-WILLIAMS: On the special emergency 5 funds listed on attachment C, have we expended all the funds 6 for the earthquake business in California or not? 7 MR. RICHARDSON: Yes, we did. We received the 8 500,000, and that money has been expended. I had noted 9 earlier, last month, we had 29,000 that was remaining from 10 the whole of the emergency funds. The way we have written 11 the grants is, if they get any insurance money or if they do 12 not use all the money, they return it. So we did have almost 13 \$3,000 returned from another grantee that did not use all the 14 15 funds. So that's the reason there is an increase this month 16 in the amount remaining. 17 MR. SINGSEN: Let me just add that, as we're all aware, there has been another natural disaster during the 18 19 past week, the floods in Southwest Georgia. We anticipate --MS. FAIRBANKS-WILLIAMS: That was going to be my 20 21 next question. 22 MR. SINGSEN: We anticipate that there will be some **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

33 need for -- we have got 32,000 now in the special emergency 1 fund. We anticipate that there may well be need for a 2 3 significant portion or all of that money to help in Southwest Georgia. The program down there is looking at that, and 4 we're expecting to hear from them shortly. 5 CHAIRPERSON MERCADO: Go ahead. 6 MS. WATLINGTON: I was just going to ask, are any 7 of our programs offices involved within that? 8 9 MR. SINGSEN: I haven't heard that any of them have been flooded out, but I certainly would not necessarily know 10 the whole story. And Phyllis Holmen, whose program serves 11 that part of Georgia, will be providing us with information 12 about that shortly and ideas about how clients who have been 13 injured in the flood or who have lost property or opportunity 14 15 in the flood may need help. 16 Of course, always in the disaster, there is a part 17 of it which is about our ability to deliver services. And there's a much larger part of it, in terms of need, which is 18 19 about what has happened to clients. 20 So we expect to have information on that, and we'll 21 go ahead and do what we can to help with it. The next item on the agenda has to do with funds that are not yet committed 22 **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006

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to specific purposes. And we're going to talk about several
 areas there.

The one area in which the plans are not firm is the 3 area that has to do with basic field programs. And so it's 4 entirely possible, depending upon what's needed, that we 5 might be able to make an even larger response than just the 6 \$32,000 by using some of the basic field funds that have not 7 been committed. 8 CHAIRPERSON MERCADO: 9 Has there been any effect as far as on the fires and stuff in California with any effect 10 -- with any program or client community in that state? 11 I'm sorry, Madam Chairman. I missed 12 MR. SINGSEN: 13 the beginning of that sentence. CHAIRPERSON MERCADO: I think that it has also been 14 15 declared an emergency in California because of all of the 16 fires. And I didn't know whether or not that affected any 17 sector of our --

18 MR. SINGSEN: So far as I know, we haven't had a 19 request, although we might want to check tomorrow with Ms. 20 Bergmark or Mr. Tull. They would probably be closer to the 21 immediate arrival of that information. It's also the case 22 that there's some consideration in the Senate bill that has

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just passed for emergency funds for South Georgia because of 1 the floods. 2 And OMB is probably going to be administering that, 3 if it passes. And it may contain funds that can be used for 4 5 Legal Services' purposes much the same as the earthquake And certainly, we're on top of that. 6 funds. CHAIRPERSON MERCADO: As far as we have noted on 7 the financial statements and expenditures up to date, at this 8 point, there's not any need for us to improve any kind of 9 amendments or modifications of the COB. 10 MR. RICHARDSON: Madam Chair? 11 CHAIRPERSON MERCADO: Yes. 12 MR. RICHARDSON: Not with the reporting this 13 period. We will come forward with some at the next meeting 14 15 in New Orleans. 16 CHAIRPERSON MERCADO: Okay. MR. SINGSEN: Although I think we anticipate only 17 the internal budgetary adjustments within M&A, as opposed to 18 any -- I think that all the money in programmatic lines is 19 going to stay within the programmatic lines. 20 CHAIRPERSON MERCADO: If there's not any other 21 22 questions on the --**Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

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1	MS. FAIRBANKS-WILLIAMS: I had one.
2	CHAIRPERSON MERCADO: Go ahead.
3	MS. FAIRBANKS-WILLIAMS: We received in the mail
4	that somebody had decided that we were not doing it properly
5	with their funds and so on and so forth. Have you looked
6	into this accusation?
7	MR. SINGSEN: Do you know anything about this?
8	MR. RICHARDSON: I am not aware of this
9	correspondence.
10	MR. SINGSEN: Do you know from whom the
11	correspondence came? Because it could conceivably be from
12	the Inspector General's Office.
13	MS. FAIRBANKS-WILLIAMS: Well, I would assume that
14	it came from somewhere. And that's why I'm asking you, have
15	you had any questions or anything like this? You have not?
16	You don't know anything about this?
17	MR. RICHARDSON: No, ma'am, I do not.
18	MS. FAIRBANKS-WILLIAMS: Okay. I definitely want
19	what know where the lines of communication go to and from.
20	And this was the only way that I could find out was to ask it
21	point blank.
22	MR. SINGSEN: I would be glad to try to get to the
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bottom of this with you.

2 MS. FAIRBANKS-WILLIAMS: I'm just trying to find 3 out where my railroad track is.

4 CHAIRPERSON MERCADO: Are you talking about total 5 funds of Legal Services, or just M&A category?

6 MS. FAIRBANKS-WILLIAMS: Well, I don't think we 7 should discuss it, but probably total funds. But that's why 8 I want to know if there has been any questions to the 9 comptroller or anything like this.

MR. RICHARDSON: There has not been.

MS. FAIRBANKS-WILLIAMS: Okay.

12 CHAIRPERSON MERCADO: Other than general statements we got at the Hill about whether or not we're spending funds 13 14 the way we ought to be spending them. But I don't know what 15 other accusations we may or may not be having out there. Because all the funds that had Congressional riders as to how 16 17 they needed to be expended have been expended as such, as far 18 as every document that I've looked at. And within the M&A. 19 there have been some revisions and modifications because of 20 the deficit and because of the search.

21 But we have managed to pretty much stay within 22 budget, even though we're having to deal with the deficit

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1	reduction within a two-year period of time rather than a one-
2	year period of time, so that they wouldn't strap us in M&A.
3	Other than that, I'm not aware of any financial questions.
4	MS. FAIRBANKS-WILLIAMS: I think we have done very
5	well, to do as well as we have with the budget reduction.
6	CHAIRPERSON MERCADO: And I really do want to
7	commend Mr. Richardson for probably not enjoying his 4th of
8	July weekend to get our June 30th reporting to us. I
9	apologize for that. And I'm really grateful that you did
10	that for us, though, because it does give us a truer picture
11	of where we're at at this period in time.
12	But again, we'll try and recommend to have Board
13	meetings toward the 20th, so we won't have to make you work
14	extremely overtime.
15	Why don't we go ahead and go into item 4, or did
16	you want us to we can go ahead and cover some of that.
17	And then, if we needed to if any of the committee members
18	in the morning had some specific questions on it, then we can
19	also deal with it at that point. But why don't we go ahead
20	and get into some of that discussion and at least get a great
21	bulk of that done today?
22	MR. SINGSEN: Item 4 you can stay with the same
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materials -- it's based on the footnotes to attachment C that
 will make the conversation clearest.

3 CHAIRPERSON MERCADO: In the June statement, right?
4 MR. SINGSEN: In the June statement.

CHAIRPERSON MERCADO: Okay.

5

MR. SINGSEN: Mr. Richardson has already referred 6 7 to a number of parts of this. And you may remember, at last month's meeting, we discussed these footnotes and the 8 presence of the contingency funds. And we simply wanted to 9 keep you up to date on what the staff is doing with regard to 10 each of these lines. And I hope Mr. Richardson won't stray 11 too far away, because he may be needed for some more 12 13 information.

But, as you remember, in footnotes to attachment C in the June statement, you begin with the remaining funds, and then you work across through the short-term funded programs that we have already discussed where money's committed to services and field programs, just not through annual grants, but instead through month-to-month or quarterly grants or reimbursement arrangements.

21 Then, we look at the legislation and corporation 22 designated which Mr. Richardson has already reviewed. I

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think each of the items in that category, funds where either the Congress or the corporation itself has made commitments on how funds will be used -- and it is the right-hand column, the contingency funds, to which item 4 on the agenda is addressed.

And in three of the four areas which show 6 7 contingency funds, the staff is working with field programs 8 in the appropriate category to implement plans that will help programs in that group of programs, that category of 9 programs, carry out their functions during this year. 10 And so we anticipate that there will be grants made to programs in 11 Native American programs, national support, and state support 12 to implement planning that's going forward in conjunction and 13 collaboration with field programs. 14

The exception to that is the basic field program contingency which, as I mentioned a minute ago in the discussions of the floods and the fires, as well as whatever other disasters may lie ahead this summer --

CHAIRPERSON MERCADO: Tornadoes.

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20 MR. SINGSEN: Tornadoes could happen. Hurricanes 21 could happen, speaking from another part of the country's 22 perspective. Those funds might well be used in disaster

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response. We do not have at the moment -- partly, if it is 1 disaster response, we couldn't have -- specific plans in 2 3 place that we're developing with field programs for how those 4 funds will be used. 5 But the others, I expect, will be able to bring to you shortly the specific information about the grants that 6 7 are being made to Native American, national support, and 8 state support programs to enable them to do a little bit 9 That's basically the report that I wanted to present more. 10 to you on this item. 11 And, obviously, tomorrow, both as to items 3 and 4, if anybody on the committee has questions, anybody who's not 12 13 here tonight, we would be delighted to try to answer them. Hopefully, we won't need to do the whole presentation. 14 But 15 we can do whatever people like tomorrow. 16 CHAIRPERSON MERCADO: One of the things that I 17 recall seeing -- and I don't recollect right at the moment 18 exactly where some of the funding was going to come from. 19 And Ernestine and Edna might be able to help me a little bit on this. 20 The client initiative, the client conference that 21 22 we're looking to do in August, under what category does that

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42 come in? Is it under our "Board initiatives"? 1 Is it under 2 "contingency funds"? I haven't seen it on a budget as to 3 where those expenditures are going to come from. Maybe you 4 guys --MR. SINGSEN: Why don't we check? I don't actually 5 know the answer to that question off the top of my head. 6 Τ know that the money has been set aside. 7 8 CHAIRPERSON MERCADO: I'm sorry? MR. SINGSEN: I'm quite sure money has been set 9 aside, but I am not sure in which budget. Why don't we find 10 out and tell you in the morning? 11 12 CHAIRPERSON MERCADO: Okay. Because I was looking 13 at it, and I couldn't figure out exactly where it was budgeted, whether it was just part of our Board initiatives 14 15 or under "contingency funds." MR. SINGSEN: It may be in "Board initiatives," but 16 17 I don't want to say that without double checking. Don Saunders reminds me that the Congressional report that 18 19 accompanied the '94 appropriation spoke to client involvement 20 in the "Board initiatives" category, and so it's his 21 perception that that's probably where the money is. 22 I have one little niggling caution I want to check **Diversified Reporting Services, Inc.** 918 16TH STREET, N.W. SUITE 803 WASHINGTON, D.C. 20006 (202) 296-2929

1 which has to do with there being \$100,000 in that appropriation. And \$15,000 went to NOCA. And I think we 2 allocated the other 85 to the Board search, so that we can't 3 double spend it. So it may be that we have allocated it in 4 another category. But the NOCA money certainly was in 5 response to that direction in the Congressional report. 6

Right. And I do know that 7 CHAIRPERSON MERCADO: the NOCA came from that, but I wasn't sure as far as this 8 other conference for client initiatives and involvement, 9 where, exactly, that was from. Because I was looking at my 10 materials, and I couldn't find where that funding item was 11 12 in. So I wanted to make sure, somewhere along the line, we justified where that came from and also in dealing with the 13 '94 appropriation, as far as client involvement initiatives. 14 15

Any other discussion on item 4?

(No response.)

16

CHAIRPERSON MERCADO: Hearing none, I would at this 17 time recess the meeting for in the morning, when everyone's 18 19 flights should be in. And we will have a quorum to take care of the action items and, in particular, inasmuch as those of 20 you Board members who will be here and may be available -- I 21 know some of you have other committee meetings -- but if you 22

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1	are here, it would be real helpful to be present when items 5
2	and 6, in particular, 5, is being discussed, which is the
3	discussion of the distribution of fiscal year '95,
4	consolidating and operating budget funds within line items.
5	Because there's a lot of policy issues that this
6	Board needs to decide in funding in those areas and, of
7	course, just some preliminary discussions on item 6 of the
8	agenda that deal with the '96 budget mark.
9	Thank you for all the faithful that were here on
10	time.
11	(Whereupon, at 7:15 p.m., the meeting was
12	concluded, to convene at 9:00 a.m. the following day, Friday,
13	July 15, 1994.)
14	* * * * *
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