

LEGAL SERVICES CORPORATION

BOARD OF DIRECTORS  
PROVISION FOR THE DELIVERY OF LEGAL SERVICES  
COMMITTEE MEETING

May 24, 1993

8:08 a.m.

The Legal Services Corporation  
750 First Street, N.W., 11th Floor  
The Board Room  
Washington, D.C. 20002

Board Members Present:

J. Blakeley Hall, Chairman  
Jo Betts Love  
Norman D. Shumway  
Basile J. Uddo  
George W. Wittgraf  
Jeanine E. Wolbeck

Staff Present:

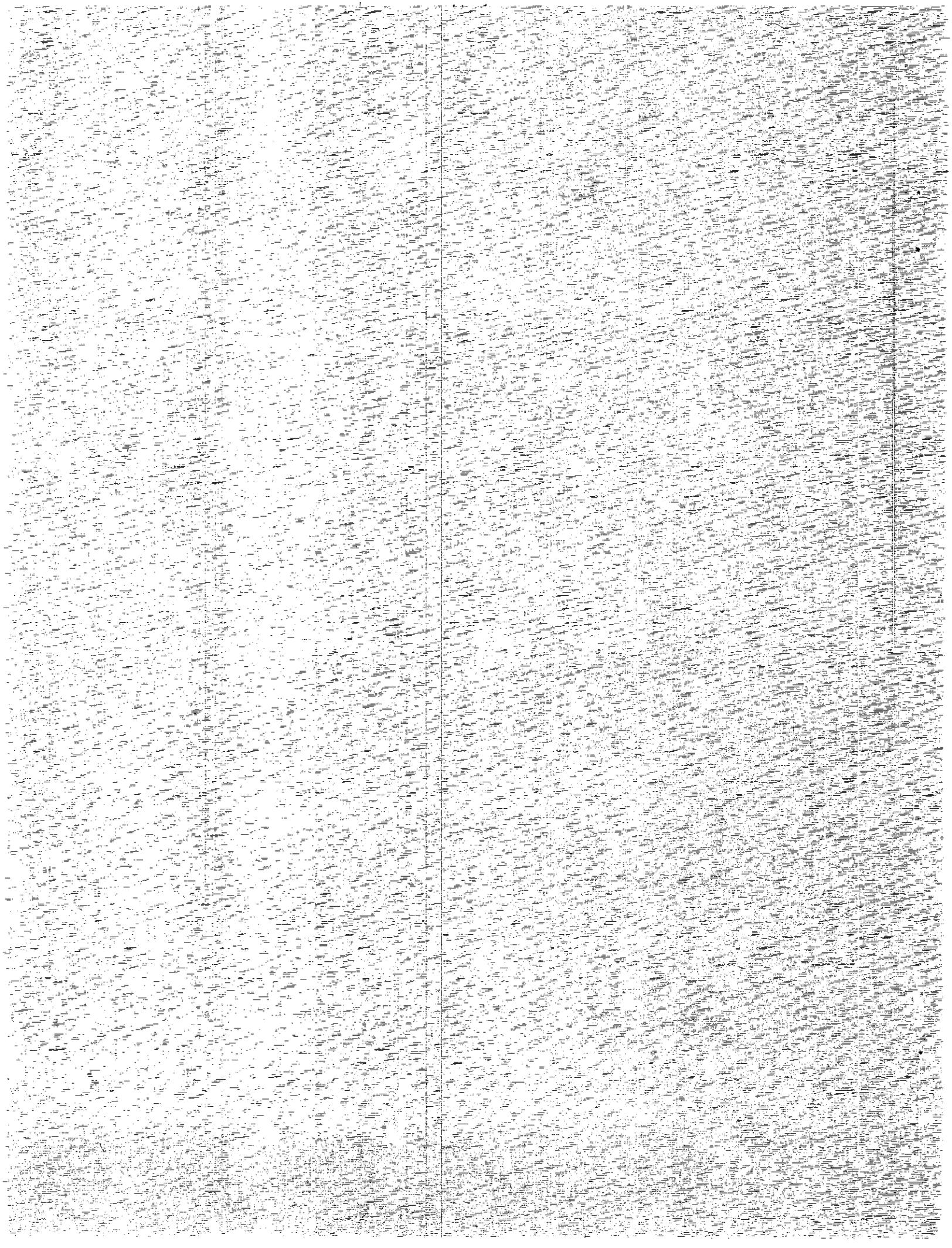
John P. O'Hara, President  
Emilia DiSanto, Vice President  
David Richardson, Treasurer & Comptroller  
Patricia Batie, Secretary  
Victor Fortuno, General Counsel  
Ellen Smead, Director of OFS  
Leslie Russell, Managers PDSS/OFS  
Susan Sparks, Director of MAC  
Kenneth Boehm, Assistant to the President & Counsel to the  
Board

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P R O C E E D I N G S

CHAIRMAN HALL: I'm going to get the meeting started. This is the meeting of the Provisions for the Delivery of Legal Services Committee. Jeanine Wolbeck is in the building, and I think she'll join us in a moment, but since all the committees, or at least all of them, and the Board is going to meet today, we probably should go ahead and get started.

Today is May 24, 1993, and at the table I have committee members Norm Shumway, George Wittgraf, Jo Betts Love, and myself. President O'Hara is with us as well.

A P P R O V A L O F T H E A G E N D A

CHAIRMAN HALL: With that, we'll move to our agenda, and the first topic is the approval of the agenda as it is printed. I think in the Board book there has been several revisions, but I think it's correct in there. I'll entertain a motion to approve it.

M O T I O N

MR. SHUMWAY: So moved.

MR. WITTGRAF: Second.

CHAIRMAN HALL: Is there a discussion?

(No response.)

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1 CHAIRMAN HALL: All in favor of approval say aye.

2 (A chorus of ayes.)

3 CHAIRMAN HALL: All opposed say no.

4 (No response.)

5 CHAIRMAN HALL: The agenda is approved as printed.

6 APPROVAL OF MINUTES OF APRIL 25, 1993

7 CHAIRMAN HALL: The second item on the agenda is  
8 the approval of the April 25, 1993, minutes of this committee  
9 meeting. Janine has joined us at this time. I'll entertain  
10 a motion to approve those minutes as printed.

11 M O T I O N

12 MR. SHUMWAY: So moved.

13 CHAIRMAN HALL: Second?

14 MR. WITTGRAF: Second.

15 CHAIRMAN HALL: It's been moved and seconded. Is  
16 there discussion?

17 (No response.)

18 CHAIRMAN HALL: All in favor of approval say aye.

19 (A chorus of ayes.)

20 CHAIRMAN HALL: Opposed, no.

21 (No response.)

22 CHAIRMAN HALL: The ayes have it. The minutes are

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1 approved.

2 CHAIRMAN HALL: We'll move to the third topic on  
3 our agenda which is the consideration of the status report on  
4 request for proposals for migrant ombudsman demonstration  
5 projects. Just to bring everybody up to date on that real  
6 quickly, on the 25th of April, I think it was Emilia DiSanto  
7 reported that the Corporation had sent out about 120 RFP  
8 solicitations in February.

9 As of that reporting date, April 25th, four  
10 complete proposals and two others have been received. She  
11 reported that there was a review group that was to be  
12 assembled to review those proposals and make recommendations  
13 to President Jack O'Hara, and that she expected the awards to  
14 be made or to begin in late May of 1993.

15 So, with that little bit of background, Ellen?

16 CONSIDERATION OF STATUS REPORT ON REQUEST FOR PROPOSALS FOR  
17 MIGRANT OMBUDSMAN DEMONSTRATION PROJECTS

18 MS. SMEAD: Where we are right now is we finally  
19 ended up with only four proposals. The two people that we  
20 granted extension to ultimately decided not to submit the  
21 proposals. So we have four proposals, all from existing LSC  
22 programs. The review panel will meet by telephone on June

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1 2nd.

2 This review panel will consist of two LSC staff  
3 people who are involved in ADR, familiar with ADR, as well as  
4 one program representative. We expect that the panel will  
5 make its recommendations to Mr. O'Hara during the week of  
6 June 7th, or he will be able to make a decision during the  
7 week of June 7th. That concludes where we are at this point.

8 CHAIRMAN HALL: There were two others that you said  
9 you had some details to work out on. Is there any particular  
10 reason that those fell through?

11 MS. SMEAD: The only reason, the people ultimately  
12 decided not to submit them. They had been granted an  
13 extension to submit their applications, and they both decided  
14 not to in the end.

15 CHAIRMAN HALL: There wasn't any difference of  
16 opinion? I mean, we only had four of the others.

17 MS. SMEAD: No. There was no difference of  
18 opinion.

19 CHAIRMAN HALL: The four that you have, have you  
20 not reviewed them at all?

21 MS. SMEAD: They are being reviewed by the panel.

22 CHAIRMAN HALL: And what was the date that you

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1 expect to act to possibly make a decision?

2 MS. SMEAD: The week of June 7th.

3 CHAIRMAN HALL: Committee members have questions?

4 MR. WITTGRAF: Mr. Chairman?

5 CHAIRMAN HALL: Mr. Wittgraf?

6 MR. WITTGRAF: Ms. Smead, if I understand it  
7 correctly, after President O'Hara accepts or reviews the  
8 recommendations, let's say, for the sake of discussion, June  
9 7th, there's then an announcement made in the Federal  
10 Register with announcement period of 30 days thereafter?

11 MS. SMEAD: Correct. If this is an initiation of a  
12 new project, it would be a 30-day announcement period.

13 MR. WITTGRAF: Assuming that to be the case, when  
14 are the funds actually available to the recipient or  
15 recipients?

16 MS. SMEAD: At the beginning of July they would be  
17 available.

18 MR. WITTGRAF: It would be June 7th plus 30 days?

19 MS. SMEAD: Right.

20 MR. WITTGRAF: Thank you, Mr. Chairman.

21 CHAIRMAN HALL: Thank you, Mr. Wittgraf. Are there  
22 any other questions?

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1 (No response.)

2 CHAIRMAN HALL: Thank you, Ellen. We'll move  
3 forward, then, to the forth item on our agenda, which is the  
4 report on the status of the survey that we sent out on the  
5 attorney recruitment and retention problems that recipients  
6 may have. It seems like last meeting about half of those  
7 programs had responded, and we were sending out or had sent  
8 out some type of letter asking the others to respond as well.  
9 Where are we today on that, Ellen?

10 CONSIDERATION OF STATUS REPORT ON SURVEY OF GRANTEEES ON  
11 ATTORNEY RECRUITMENT AND RETENTION

12 MS. SMEAD: Where we are is we received  
13 approximately another 35 responses. The Program Support  
14 Technical Assistance Division produced a report. It looks  
15 like it has a tan cover, and it should have been distributed.

16 As you recall, the purpose of this survey was to  
17 determine the scope of the problems that the programs were  
18 having with attorney recruitment and retention, their  
19 interest and various options, recruitment and retention  
20 options, and the potential effects of these options. What we  
21 found is, of course, which we expected, the majority of our  
22 programs are having problems with attorney recruitment and

1 retention, particularly with recruiting and retaining  
2 minority attorneys.

3           The most significant problems that they site are  
4 low salaries, noncompetitive salaries, even with the public  
5 sector, remote locations, and high relocation costs. A  
6 corollary to this low salary, of course, is the high debt.  
7 Most of the first year students, like 80 percent  
8 approximately, have high student loans left over. And if  
9 they're only earning \$20,000 per year, it's very hard for  
10 them to pay back their student loans.

11           One of the questions you may recall that we asked  
12 is how could we help them, what did they see the  
13 Corporation's role in helping them with recruitment and  
14 retention efforts. There was a lot of very good suggestions,  
15 the top ones being develop a loan assistance repayment  
16 program, either administered by LSC or given the programs  
17 some money to administer their own. We found that 10 percent  
18 of those that responded to the survey do have loan repayment  
19 programs currently.

20           They also encouraged the creation of fellowships  
21 and summer internships or recreation of the Reggie Program or  
22 doing something like Skadden-Arps does with their

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1 fellowships. Of course, high on the list was always more  
2 funding to increase salaries, increase benefits, increase  
3 training opportunities.

4 Another suggestion was that we should help collect  
5 and disseminate documents that promote legal services as a  
6 career. This could be done through brochures, some of which  
7 we're starting to do already. But there could be some  
8 brochures. They suggested public service announcements by  
9 the president of the Corporation, that sort of stuff.

10 There was also some suggestions that maybe there  
11 should be some mini grants given to particular rural programs  
12 that have high costs in trying to recruit people. These are  
13 programs that find it hard to go to the law schools to  
14 recruit new attorneys. That concludes where we are on that,  
15 and it summarizes the findings.

16 CHAIRMAN HALL: Thank you, Ellen. Committee  
17 members with questions?

18 MR. WITTGRAF: Mr. Chairman?

19 CHAIRMAN HALL: Mr. Wittgraf?

20 MR. WITTGRAF: Ms. Smead, first of all, I  
21 congratulate you and your colleagues for having had such a  
22 large response, 221 responses out of, what, 284.

1 MS. SMEAD: Out of 323.

2 MR. WITTGRAF: Okay, 323, not just basic field  
3 grant recipients but all recipients. It's an unusually high  
4 level of response, I think.

5 MS. SMEAD: Yes.

6 MR. WITTGRAF: So, congratulations on getting it.

7 MS. SMEAD: Thanks.

8 MR. WITTGRAF: Now that you've spent quite a bit of  
9 time looking at this area, and particularly a loan assistance  
10 repayment effort, can you weigh the pros and cons of having  
11 the Corporation centrally and administratively involved in  
12 such an effort as opposed to simply more monies being  
13 available for local programs, all of which are separate legal  
14 entities, using those monies as according to setting their  
15 own priorities.

16 What are the pros and cons of the Corporation  
17 having some involvement, be it administratively or leadership  
18 versus just more money going into the fields to assist  
19 programs as they make their own decisions on how to spend  
20 their monies?

21 MS. SMEAD: we are in the process of weighing the  
22 pros and cons, but some of the preliminary thoughts are that

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1 administratively it would be cheaper if we ran it because  
2 you'd have a central location, but then it would create an  
3 administrative burden, which we may not have the staff right  
4 now to administer such a program.

5 Second of all, on a con side, the programs have a  
6 much better idea of what it is that they need over what we  
7 do. Some don't need a loan assistance program. As I said,  
8 10 percent of the people that responded already have it,  
9 number one, and some don't feel they need loan assistance.  
10 They need the resources otherwise. If they're going to use  
11 scarce resources, they might want to use those more for going  
12 out and interviewing people or attending job fairs. So  
13 they'd like to -- or increasing salary.

14 There are some programs that said we don't lose  
15 attorneys, we don't have recruitment or retention problem.  
16 Why don't you reward us who do have policies, for some  
17 reason, that we are able to retain people? So there's a wide  
18 range.

19 MR. WITTGRAF: On that point, those who say hey, we  
20 struggled with this and we've attempted to resolve it  
21 ourselves locally, is there anything we have learned or can  
22 learn from what those programs have done that we can simply

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1 share with the programs who haven't done something or been  
2 able to do something as of yet?

3 MS. SMEAD: There's something that we can follow up  
4 with with those programs. We haven't yet, but it is  
5 something we can probably do. The other thing, too, is that  
6 at this point, there's the National Trust Service Act  
7 pending. There's possibly that we could fold into the  
8 National Trust Service Act. There's a Student Loan Reform  
9 Act being proposed that might affect some of our programs.  
10 So there may be other avenues to have loan forgiveness taken  
11 care of other than through the Corporation.

12 MR. WITGRAF: Let me ask another question on a  
13 different point that you raised. I think you referred to the  
14 notion of mini grants to assist particularly the more rural  
15 or more isolated programs, those that presumably are farther  
16 away from law schools with their recruitment efforts. Can  
17 you elaborate upon that notion at all at this time, either in  
18 terms of what or how much money?

19 MS. SMEAD: No. I don't have the figures yet on  
20 how much money. It was just in reading the surveys, there  
21 was a lot that said that they could use a little bit of  
22 money. In the past when we've talked to programs about it,

1 they said like \$2,000 to \$5,000 grants would help them a lot,  
2 just in terms of going to several law schools or bringing the  
3 law students to them.

4 Another option, which is similar, is also do to,  
5 which some people suggested, was for LSC to host a jobs fair.  
6 We've not looked into the cost of that at this point, but  
7 that's another option.

8 MR. WITTGRAF: Mr. Chairman, it seems to me the  
9 information that Ms. Smead and her staff have here is very  
10 helpful in supporting the appropriation request that we've  
11 made for fiscal year 1994. We may or may not get specific  
12 monies to be used in this area. Those would be substantial  
13 amounts. We're looking at millions of dollars.

14 I wonder if, in the meantime, it would be possible  
15 for Ms. Smead and her staff to pursue these two more  
16 manageable, cheaper alternatives, both of a  
17 corporation-sponsored job fair, which conceivably could be  
18 held in conjunction with our annual conference, what might be  
19 involved and what it might cost, and, similarly, to pursue  
20 the concept of mini grants or small grants to be utilized by  
21 programs that have special problems or needs when it comes to  
22 recruitment of attorneys, be they minority or other attorneys

1 for their programs?

2 CHAIRMAN HALL: Mr. Wittgraf, the mini grants, as  
3 compared or applied to the rural programs?

4 MR. WITTGRAF: Those who have, I guess, self-  
5 defined difficulties or problems in recruiting attorneys,  
6 recruiting as separate from retention. The retention is a  
7 much tougher problem. I'm somewhat skeptical about whether  
8 or not the Congress is going to actually appropriate monies  
9 that would be used for retention.

10 But I can see on recruitment, both with the small  
11 grants or mini grants and with the recruitment fair, job  
12 fair, that those are manageable concepts that might involve  
13 small dollars that we might find available under the  
14 leadership of the president and the treasurer/comptroller.

15 CHAIRMAN HALL: I think I've seen Ellen writing  
16 down some notes, as well as our president, so I take it that  
17 the staff will follow up on those points. Ellen, I also  
18 wondered if you intend to request some of the loan repayment  
19 program details from the 10 percent of the programs that do  
20 have such a program out? I wonder what the program consists  
21 of.

22 MS. SMEAD: We've been in touch with approximately

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1 half of them, and we do intend to touch base with the other  
2 ones and get more information on the particulars of their  
3 programs.

4 CHAIRMAN HALL: And the programs that told us they  
5 have policies that have more or less solved that problem, I  
6 wonder if those are written policies that they would share  
7 with us?

8 MS. SMEAD: We can ask them.

9 CHAIRMAN HALL: And then I wonder if those programs  
10 that have the loan repayment and those that have the  
11 policies, if they have -- well, I guess the ones that have  
12 the policies tell us they have a less retention problem than  
13 the others.

14 But I wonder if the ones with the loan repayment,  
15 if their problems with retention and recruitment are much  
16 less than the others that don't. I mean, it stands to reason  
17 that they probably are, but I wondered if the facts do bear  
18 it out.

19 That probably shouldn't be too difficult. You  
20 might look at their questionnaire answers and be able to tell  
21 that compared to the others.

22 Other questions?

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1 (No response.)

2 CHAIRMAN HALL: Ellen, you mentioned there was a  
3 report. Have you all summarized some of this material into a  
4 report?

5 MS. SMEAD: Yes.

6 CHAIRMAN HALL: Do I have a copy of it?

7 MS. SMEAD: You should have.

8 CHAIRMAN HALL: It's around. I haven't seen it.  
9 Oh, it's here on the table, I think. I'll get a copy of it.

10 MS. SMEAD: I'll make sure you get one. Mr.  
11 Chairman, one thing I did not mention is later this week we  
12 hope to be sending out a notice to all programs, or a flyer  
13 to all programs, from the National Association of Law  
14 Placement. I'll let Leslie explain this, what it is and how  
15 it will help the programs.

16 MR. RUSSELL: For the record, Leslie Russell.  
17 Generally, I had participated on behalf of the Corporation in  
18 about five or six career fairs, most of them in the local  
19 area. One of the things that developed was that several  
20 career placement officers indicated that they had very little  
21 information about legal services programs, and they indicated  
22 that some type of directory that they can have in their

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1 offices for law students would be helpful.

2 My staff and I have been investigating that.  
3 Through that, we've contacted both NAPIL, the National  
4 Association of Public Interest Law, and now the National  
5 Association of Law Placement to try to get some ideas and  
6 their help in terms of how to best go about getting a  
7 directory prepared for the Corporation.

8 The Corporation had drafted something and faxed it  
9 to both organizations, and they commented. NALP, in their  
10 response, indicated that it would be probably a lot cheaper  
11 and quicker if the Corporation utilized their services, which  
12 are free, and have legal services programs list their normal  
13 hiring practices in their directory, which is also  
14 computerized and available nationally through Westlaw.

15 So I think that is what we've decided would be the  
16 cheapest and the best way to go. So we're going to send out  
17 a memo to all field programs suggesting that they get on  
18 NALP's service line. Several programs are already on the  
19 service line. But, hopefully, many, many more will be on the  
20 service line and information about our programs will be  
21 available at all law school placement offices.

22 Hopefully, down the road we can take that

1 information and prepare a directory solely of legal services  
2 programs and make that available to law school placement  
3 offices also. Hopefully, that will go out this week.

4 CHAIRMAN HALL: Okay.

5 MR. WITTGRAF: Mr. Chairman?

6 CHAIRMAN HALL: Mr. Wittgraf?

7 MR. WITTGRAF: Mr. Russell, particularly the  
8 directory that you're referred to at the end that you're  
9 considering, how would you compare that with the information  
10 that's provided by the clearinghouse quarterly in its review?

11 MR. RUSSELL: The clearinghouse generally provides  
12 information on job openings and position availability. The  
13 directory that I'm envisioning and what the NALP directory  
14 does doesn't necessarily have specific job openings. What it  
15 does is it provides information to the law students about  
16 different public interest providers so that they know what  
17 the location is, what type of law is practiced, what the  
18 hiring season is, whether or not these organizations utilize  
19 law students, what the normal salary ranges are, what the  
20 prospects for job openings are, things of that nature.

21 In terms of specific job openings, current  
22 listings, the clearinghouse probably would be the best

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1 resource. One of the items I've been taking with me to the  
2 career fairs has been the job market previous produced by  
3 clearinghouse. That gives current specific listings. But it  
4 doesn't provide information on every program throughout the  
5 country.

6 MR. WITTGRAF: As you're thinking about or  
7 developing the concept for this directory, have you gotten to  
8 the point of putting any price tag on it? Are we talking  
9 about something that costs much money or not?

10 MR. RUSSELL: No. We're not talking about -- the  
11 NALP services are free, and they can also prepare a diskette  
12 and provide it to NALP. What we hope to do, in terms of  
13 creating our own directory, is coordinate with NALP and just  
14 isolate certain sections of the programs responses to NALP  
15 and put that information in a separate directory so that  
16 there will be available a separate directory of legal  
17 services programs for law students that know they have that  
18 interest.

19 The NALP information will include hundreds, if not  
20 thousands, of organizations, in addition to legal services  
21 programs. So, it would take the same information and isolate  
22 it and have it available in booklet form so that as a backup,

1 there will be an isolated piece of material available that  
2 just provides information on legal services programs.

3 The work will be reduced because it will just  
4 summarize information available from NALP, and it shouldn't  
5 be costly at all.

6 MR. WITTGRAF: The directory could be reproduced in  
7 house?

8 MR. RUSSELL: Yes.

9 MR. WITTGRAF: Thank you, Mr. Chairman.

10 CHAIRMAN HALL: Other questions?

11 (No response.)

12 CHAIRMAN HALL: Thank you, Leslie. We'll move  
13 forward to agenda item no. 5, which is a report on the status  
14 of the timekeeping grant solicitations. I think Susan Sparks  
15 told us last time that those had gone out?

16 CONSIDERATION OF STATUS REPORT ON TIMEKEEPING

17 GRANT SOLICITATION

18 MS. SPARKS: No. My name is Susan Sparks. I'm the  
19 director of the Office of Monitoring, Audit, and Compliance.  
20 At the last Board meeting, we discussed a draft solicitation.  
21 Chairman Wittgraf provided us guidance on moving our schedule  
22 up a bit and had a few revisions for us.

1           We then had talked about sending the draft to the  
2 20 programs who are participating in the comparative  
3 demonstration project who were scheduled to be in a meeting  
4 with Ellen on May 13th. We met with them and received a good  
5 deal of feedback and revised the proposal quite a bit, based  
6 on some of their thoughts.

7           Just for your information, of the cross section of  
8 the country that that group represents, two of the programs,  
9 one from Ohio and one from California, talked about the  
10 successive timekeeping in their program. They have  
11 sophisticated timekeeping systems. One was automated in  
12 great detail. The other one was a manual detailed system  
13 that they were looking forward to automating.

14           Several other programs talked about they didn't  
15 know anything about timekeeping and how do we begin. Others  
16 had taken a first few steps and were extremely interested in  
17 the prospect of receiving this money. So Ellen and I left  
18 that meeting confident that we believe there will be a good  
19 number of proposals coming in for these funds.

20           Ellen, you may want to talk about the revisions we  
21 made.

22           MS. SMEAD: The comments were very useful. Some of

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1 the revisions that we've made, substantive revisions, are  
2 that of those \$300,000, we're going to set aside \$60,000 for  
3 programs that have no experience with automated timekeeping.  
4 These grants can be up to \$20,000 apiece. The remaining of  
5 the \$240,000 would be available to anybody, including those  
6 that want to update or expand existing automated systems.

7 We're also expanding the demonstration project,  
8 period, from one year to two years. In talking to the  
9 program directors, several that had experience with  
10 timekeeping said that it takes a good year and a half to get  
11 this system up and running. Part of it is comes from staff  
12 concerns and part of it is just to get the little problems  
13 out, the little problems ironed out. So we've expanded to  
14 two years.

15 We're also clarifying that we do not have any  
16 particular model in mind. Rather, we want the programs that  
17 are interested in timekeeping to define their goals and then  
18 design a system that they think will meet their goals. We've  
19 also moved up the proposal time period.

20 The proposal itself, solicitation, I'm sorry, will  
21 be going out this week and will be due back to LSC the first  
22 week in July. We intend to review those proposals during

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1 July and announce the potential awardees by the middle of  
2 August. This would move everything up by about a month.

3 This differs from ADR, too, in that we would not --  
4 this is not an initiation of legal services. This is  
5 timekeeping. So there would not be a 30-day notice  
6 requirement. It also would be going to existing grantees, so  
7 there would not be a 30-day notice requirement on these. So  
8 we expect that the actual demonstration project could begin  
9 by September 1st.

10 CHAIRMAN HALL: Thank you, Ellen. Thank you,  
11 Susan. Anyone have questions for them on those topics?  
12 Norm?

13 MR. SHUMWAY: I find it surprising that some  
14 grantees are really not familiar with the process of  
15 timekeeping and the concept. It's been under consideration  
16 here for so long, and I recognize it's been somewhat  
17 controversial. But the fact that some people have not done  
18 it, haven't even started, or apparently thought about it,  
19 strikes me as peculiar. I would imagine that at least some  
20 type of timekeeping format would be in place in all  
21 instances.

22 MS. SMEAD: They may have something in terms of

1 time and attendance, and they also have to keep some time on  
2 their private attorney involvement, but a lot of times those  
3 are manual systems. That may be the only systems they have.  
4 I believe it was two to three of the programs, about 10  
5 percent, at the meeting said they did not have timekeeping  
6 other than this time and attendance.

7 In a survey that was done as part of a refunding  
8 application, we found that about 10 percent, I'm sorry, 20  
9 percent, did not keep timekeeping other than time and  
10 attendance and private attorney involvement. So there does  
11 seem to be some need for more expanded timekeeping. That's  
12 why we break it at automated versus nonautomated, not  
13 necessarily no timekeeping versus timekeeping, but automated  
14 versus nonautomated.

15 CHAIRMAN HALL: We've been joined by Mr. Uddo.  
16 Good morning.

17 MR. UDDO: Good morning.

18 CHAIRMAN HALL: Any further questions?

19 MR. WITTGRAF: Mr. Chairman?

20 CHAIRMAN HALL: Mr. Wittgraf?

21 MR. WITTGRAF: I gather that you've responded to  
22 some of the concerns that were raised in the discussion you

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1 had, and I commend you for that. Generally, was there still  
2 a lingering skepticism among the people you discussed this  
3 with or was there some willingness to accept the fact that it  
4 was simply some monies being available to assist those who  
5 felt the need for assistance? I'm curious about the general  
6 reception that you received.

7 MS. SPARKS: There was a request that we talk a  
8 little bit more on the proposal about the history of  
9 timekeeping and the Corporation's efforts in that regard and  
10 its failures in that regard. This was a new approach. That  
11 we just needed to clarify in the proposal that this was a  
12 dramatic departure from where the Corporation has been since  
13 1985.

14 MR. WITTGRAF: Is that something you're trying to  
15 do in the proposal, to provide some historical background?  
16 Some of that, I gather, gets into one's perspective, and it  
17 may be a little bit difficult. But I guess in the end, in a  
18 nonpejorative way, you're trying to provide some historical  
19 comments in the proposal?

20 MS. SPARKS: Yes, sir.

21 MR. WITTGRAF: Thank you. Mr. Uddo, may have some  
22 questions about this, Mr. Chairman. It's one of his areas of

1 great interest.

2 MR. UDDO: What are we talking about?

3 MR. WITTGRAF: One of his areas of very great  
4 interest.

5 MR. UDDO: Timekeeping.

6 CHAIRMAN HALL: Timekeeping, yes.

7 MR. UDDO: No, Mr. Chairman. I don't have any  
8 questions right now. Thank you.

9 CHAIRMAN HALL: Well, I think Susan was telling us  
10 that they've met with the programs in the competition  
11 program, and that they were very receptive to the idea of  
12 timekeeping, especially the new timekeeping program with all  
13 this flexibility that we have. They are very encouraged by  
14 it. Hopefully, we will have them decided and awarded by the  
15 end of August?

16 MS. SPARKS: September 1.

17 CHAIRMAN HALL: September 1, all right. We will  
18 then move forward to agenda item no. 6, which is a six-month  
19 report on meritorious and innovative grant projects. Ellen  
20 Smead again, please?

21 SIX-MONTH REPORT ON MERITORIOUS AND INNOVATIVE GRANT PROJECTS

22 MS. SMEAD: Mr. Chairman, as you recall, we awarded

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1 10 meritorious innovative grant awards last fall. These were  
2 one-year grants, and they are halfway through by now. At the  
3 end of April, we asked them to submit by the end of April  
4 some progress that they've made.

5 I'm pleased to report there's been quite a bit of  
6 progress made. There's been a lot of children helped.  
7 Several people that would have been homeless are not going to  
8 be homeless now because of the intervention of some of our  
9 grantees. There's more pro bono attorneys involved. There's  
10 also been a successful negotiation skills training done at  
11 three places now.

12 The report summarizing that project, I believe it's  
13 been distributed to everybody, is pretty much the highlights  
14 of what's happened. I can answer any questions you might  
15 have.

16 CHAIRMAN HALL: Ellen, where did you get the  
17 information that you have in that report?

18 MS. SMEAD: Each program submitted a four to five  
19 page summary of what they've accomplished during the past six  
20 months and what, if any, revisions they plan to do in the  
21 next six months.

22 CHAIRMAN HALL: Are there other questions from

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1 other committee members or Board members?

2 MR. WITTGRAF: Mr. Chairman?

3 CHAIRMAN HALL: Mr. Wittgraf?

4 MR. WITTGRAF: Ms. Smead, as you indicated, it  
5 looks like a lot of new services are being provided as well  
6 as training and other things. I wonder, being very  
7 supportive of the notion in the first place, nonetheless,  
8 what happens to these efforts when the grant funds run out.

9 Do you have a sense as to whether or not this is an  
10 effort that's picked up through other funds that are  
11 available to the different programs or rather that these are  
12 efforts that just let go by the by?

13 MS. SMEAD: I've read all the reports and I know  
14 that most of them are looking for other funding sources.  
15 Some have isolated some to continue on. Others, by their  
16 nature, will be discontinued, for example, the negotiation  
17 skills training. That was a goal to do three. Now that will  
18 benefit in the long run because the people that put on that  
19 training will also do other trainings with other resources  
20 from programs. But yes, I do have a sense that most of these  
21 will be continuing. Some of this is just seed money to get  
22 this stuff going.

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1 MR. WITTGRAF: That's good to hear. It would be  
2 somewhat self-defeating, I suppose, to try something and, if  
3 it was successful, have to give it up. I guess that's the  
4 downside, perhaps, of the so-called meritorious and  
5 innovative grants, that you create an expectation and effort  
6 that can't be followed up. But, hopefully, it can be. Thank  
7 you. Thank you, Mr. Chairman.

8 CHAIRMAN HALL: Thank you. Ellen, it's my  
9 understanding that the Corporation has made these type of  
10 grants in the past for this specific program; isn't that  
11 true?

12 MS. SMEAD: Correct.

13 CHAIRMAN HALL: But have they not been made on this  
14 scale?

15 MS. SMEAD: No. They have not been made on this  
16 scale or this organized fashion. In the past, we funded  
17 proposals as they came in if they were meritorious. We did  
18 not have a meritorious and innovative grant project, per se.

19 CHAIRMAN HALL: I mean, the president might, what,  
20 pick two or three a year as opposed to doing it the way we  
21 have been?

22 MS. SMEAD: Correct. That's the way it would

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1 happen.

2 CHAIRMAN HALL: Of course, the goal would be, of  
3 course, to be successful in these. How do we analyze those  
4 in the past to know whether or not the program had succeeded  
5 with their goals? How do we plan on analyzing these to  
6 really know?

7 MS. SMEAD: What we do is we take the goals that  
8 are listed in the proposal and then we look at what they were  
9 able to achieve against their goals or, if they had to revise  
10 their goals, what they achieved against their revised goals.  
11 Sometimes if they don't even achieve their goal, we learn a  
12 lot of out of it anyway. We learn what didn't work and how  
13 it would be revised for the next time.

14 CHAIRMAN HALL: Other questions from committee  
15 members or Board members?

16 (No response.)

17 CHAIRMAN HALL: Thank you, Ellen. I guess you're  
18 up for no. 7 as well, consideration of status report on law  
19 school grant solicitation?

20 CONSIDERATION OF STATUS REPORT ON LAW SCHOOL

21 GRANT SOLICITATION

22 MS. SMEAD: As I'm sure you recall, we sent out the

1 law school solicitation back in February. At the end of  
2 March, we received two proposals. Those proposals included  
3 requests totalling about \$2,400,000. The 1993 appropriation  
4 for this line was about \$1.2 million. So about double what  
5 we have has been requested.

6 The amounts requested ranged from \$37,000 to  
7 \$100,000. Seven of the thirty grant proposals are from  
8 schools that have never received LSC grants before.

9 MR. WITTGRAF: How many?

10 MS. SMEAD: Seven out of the thirty are new  
11 applicants. I shouldn't say new applicants. They have never  
12 received LSC grants before. They may have applied before,  
13 but they have never received LSC grants before. We do have a  
14 panel meeting at the end of this week on Thursday. That  
15 panel will consist of LSC staff, an LSC program deputy  
16 director, and one professor of law.

17 We expect to be submitting recommendations for  
18 grant recipients during the first week of June to the  
19 president. So that by mid-June we should be able to announce  
20 who the successful candidates are. This would have a 30-day  
21 comment period because this would be an initiation of  
22 service. These are not regular LSC grantees.

1           CHAIRMAN HALL: Ken, would you come forward and  
2 give us a status on the reallocation of these funds?

3           MR. BOEHM: For the record, I'm Ken Boehm,  
4 assistant to the president and counsel to the Board. The  
5 status of the reprogramming request right now is that it's  
6 pretty well dead. The bill itself has been delayed and may  
7 be even delayed into the summer. So, even if we had had it  
8 added, it may not have been to our benefit because we had to  
9 disburse the law school funds prior to that. But what  
10 happened, in a nutshell, was that it was not favored within  
11 our own subcommittee. That left us two options. One was to  
12 try to do an end run around that at full committee or,  
13 secondly, at the floor. And that generally wouldn't have  
14 been either successful or diplomatic. In part, it was  
15 because of opposition from law schools that maintain clinical  
16 programs that had lobbied the committees. It leaves us in a  
17 situation, and I know this is maybe later on in the agenda,  
18 where we have to decide if we want to go back still this  
19 fiscal year, fiscal year 1993, and ask for a supplemental  
20 request to take care of some of the designations we were  
21 going to make if the funds had been allowed to be  
22 reprogrammed. That's still an opportunity, and there's some

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1 pluses and minuses with respect to that.

2 CHAIRMAN HALL: I assume you'll be making a full  
3 report in the next committee meeting.

4 MR. BOEHM: Yes. I think it's a separate agenda  
5 item.

6 CHAIRMAN HALL: Thank you, Ken. Ellen, is there  
7 anything further?

8 MS. SMEAD: No. That concludes my remarks.

9 CHAIRMAN HALL: Basile?

10 MR. UDDO: Ellen, let me ask you a question: I  
11 would like for us to not award these grants this year and to  
12 rework the whole program. As I'll say at the next meeting, I  
13 think it's ludicrous that Congress and the law schools did  
14 what they did because this really isn't in the best interest  
15 of the delivery of legal services. It's very clear to me,  
16 and I think a lot of people, that that's true. But if we're  
17 going to be forced to award the grants, I think that the way  
18 that we have been doing it is not the right way. I think  
19 that we could probably improve on it. What would it take to  
20 stop the process and redo the way we award these grants?

21 MS. SMEAD: I think it's ultimately the president's  
22 discretion on whether or not to award the grants.

1 MR. UDDO: Well, I'm not saying not award them  
2 ever, but to redo the way we do it.

3 MS. SMEAD: We have done some limited revision. We  
4 did the revision of increasing the amount from \$75,000 to  
5 \$100,000 this year to address, I think, your concerns and  
6 some of others that there wasn't really enough money. I know  
7 that the staff has looked that if we are going to continue  
8 law school programs in the future, we might want to look at  
9 doing two year grants instead of one year grants. There are  
10 some concerns you raised too about one year is not always  
11 enough.

12 MR. UDDO: Well, I'd like to do that with the  
13 existing grant budget line and not wait. Mr. President, can  
14 we do that?

15 MR. O'HARA: Of course the president is always  
16 happy to follow the wishes of the Board.

17 MR. UDDO: I'll bring it to the Board, then. I  
18 think that that needs to be looked at. I don't think we  
19 should continue to do it the way it's been done. I'll bring  
20 it up at the Board meeting.

21 CHAIRMAN HALL: Any other questions from any other  
22 Board member or committee member?

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1 (No response.)

2 CHAIRMAN HALL: Thank you, Ellen. That concludes  
3 every topic on the agenda of this committee meeting. I'll  
4 entertain a motion that we adjourn.

5 M O T I O N

6 MS. WOLBECK: So moved.

7 MS. LOVE: Second.

8 CHAIRMAN HALL: It's been moved and seconded. All  
9 in favor say aye.

10 (A chorus of ayes.)

11 CHAIRMAN HALL: Opposed say no.

12 (No response.)

13 CHAIRMAN HALL: The ayes win, and the meeting is  
14 adjourned.

15 (Whereupon, at 8:52 a.m., the meeting was  
16 concluded.)

17 \* \* \* \* \*

