

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE GOVERNANCE
AND PERFORMANCE REVIEW COMMITTEE

OPEN SESSION

Monday, October 6, 2014

9:24 a.m.

Hilton Albany
40 Lodge Street
Albany, New York 12207

COMMITTEE MEMBERS PRESENT:

Martha L. Minow, Chairperson
Charles N.W. Keckler
Julie A. Reiskin
John G. Levi, ex officio

OTHER BOARD MEMBERS PRESENT:

Robert J. Grey Jr.
Harry J.F. Korrell, III
Victor B. Maddox
Laurie Mikva
Father Pius Pietrzyk, O.P.
Gloria Valencia-Weber

STAFF AND PUBLIC PRESENT:

James J. Sandman, President

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

Lynn Jennings, Vice President for Grants Management

Julie Kramer, Program Counsel, Office of Compliance and
Enforcement

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

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

Janet LaBella, Director, Office of Program Performance

Lora Rath, Director, Office of Compliance and
Enforcement

Jeff Schanz, Inspector General

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

Carl Rauscher, Office of Government Relations and
Public Affairs

Wendy Rhein, Chief Development Officer

Bernie Brady, LSC Travel Coordinator

Wendy Long, Executive Assistant, Office of Government
Relations and Public Affairs

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

C. Kenneth Perri, Executive Director, Legal
Assistance of Western New York

Paul J. Lupia, Executive Director, Legal Aid Society
of Mid-New York

Barbara Finkelstein, Executive Director, Legal
Services of the Hudson Valley

Lillian M. Moy, Executive Director, Legal Aid Society
of Northeastern New York

Robin C. Murphy, National Legal Aid and Defender
Association (NLADA)

Lisa Wood, American Bar Association Standing
Committee on Legal Aid and Indigent Defendants
(SCLAID)

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

2 (9:24 a.m.)

3 CHAIRMAN MINOW: The meeting of the Governance
4 and Performance Review Committee is now in session. I
5 wonder if anyone has any comments on the agenda -- I
6 mean, on the approval of the agenda?

7 M O T I O N

8 MR. KECKLER: Move to approve the agenda.

9 CHAIRMAN MINOW: Second?

10 MS. REISKIN: Second.

11 CHAIRMAN MINOW: All in favor?

12 (A chorus of ayes.)

13 CHAIRMAN MINOW: Okay. Any comments on the
14 minutes?

15 M O T I O N

16 MS. REISKIN: Move to approve.

17 CHAIRMAN MINOW: Second?

18 MR. KECKLER: Second.

19 CHAIRMAN MINOW: All in favor?

20 (A chorus of ayes.)

21 CHAIRMAN MINOW: Great. So we turn now to
22 Carol Bergman, who will tell us officially about the

1 status of the GAO recommendations.

2 MS. BERGMAN: Thank you very much, Madam
3 Chair. I guess we should have brought champagne; it's
4 a little early in the morning.

5 On page 145, for those of you who actually
6 have a hard copy of the Board book, there's a
7 screenshot of the website that's showing where GAO has
8 closed out the final recommendation and all of the
9 recommendations on the report.

10 (Applause)

11 MS. BERGMAN: I think one of the really good
12 parts is that we were really able to negotiate the
13 closure of this last recommendation based on our plan
14 and not the actual completion of the annual performance
15 management process.

16 What we did was present to them the date of
17 the plan, when it was actually implemented, and a
18 timeline for implementing the new system, and the
19 employee training, and the dates, and the specifics of
20 all the employee training on the new performance
21 management process, and OHR's tracking mechanism to
22 ensure the process would be completed for all

1 employees.

2 So I think, based on our track record with
3 them, they were willing to close it out based on that
4 as opposed to actually seeing it through for a full
5 year through of completion.

6 So I really want to say for the record that
7 this was really due to the extraordinary cooperation
8 among many senior staff, but specifically Traci,
9 Richard, and Lynn, and Treefa just played an incredible
10 role, her diligence in coordinating the team effort to
11 really make this happen.

12 CHAIRMAN MINOW: Well, I just want to give my
13 personal commendations to that entire group, and
14 indeed, to the entire organization. To take us from a
15 daunting list to great success and closure is one
16 thing. But to put in place processes that actually, in
17 my view, mean we will never again have that level of
18 critique, that's the real accomplishment. And it shows
19 that the organization is strong. And while it's not
20 champagne, I do have something.

21 MS. BERGMAN: Uh-oh. Oh, my goodness. That's
22 very sweet. It is the Statue of Liberty chocolates,

1 sweet taste of New York. So we'll bring it back to the
2 staff. Thank you.

3 CHAIRMAN MINOW: So there's a New York comment
4 in it. And there's no reference with the use of the
5 word "liberty" to being free of GAO, by any means.
6 It's only --

7 (Laughter.)

8 MS. BERGMAN: Well, that's because you haven't
9 heard the next part of our report.

10 CHAIRMAN MINOW: It's only meant to say, we
11 are proud of our role in America, and thank you and the
12 whole team for their great work on this.

13 MS. BERGMAN: Thank you. That's very
14 generous.

15 And just when we thought we were done, we got
16 a call from GAO last week. It's a little bit
17 different. They are conducting a study of all federal
18 programs that target low-income individuals, families,
19 and communities.

20 It's an inventory of 80 such federal programs
21 across 13 different agencies, and includes LSC. It's a
22 request by Senators Sessions and Coburn, and it's a

1 followup to the 2011 CRS report on federal benefits to
2 low-income communities.

3 So this is not a traditional formal
4 investigation, and it's certainly not targeting LSC.
5 It's really an inquiry that's being done through email;
6 they're not even doing a formal entrance conference.
7 And it's on a fast track. I'm sorry?

8 MS. REISKIN: What's CRS?

9 MS. BERGMAN: Oh, Congressional Research
10 Service. Sorry. Yes. The world of acronyms that Jim
11 is always trying to get us to move past. It's
12 essentially the Library of Congress. It's the part of
13 it that works directly with Congress and produces
14 reports and does research at their request.

15 So we've taken a look at this, and we have
16 just a series of questions that's really just trying to
17 confirm the data regarding how many people are served
18 and the income requirements, things like that.

19 And we are listed in the original report;
20 actually, LSC is identified as a social service agency.

21 And we will take the opportunity in our cover letter
22 responding to clarify the LSC Act and in fact what LSC

1 is in business to do, that we are not in business
2 either to target poverty, although we serve low-income
3 people, and to be very clear and differentiate what our
4 role is.

5 CHAIRMAN MINOW: Is it possible to use that as
6 an occasion to advance our number one strategic goal,
7 which is to be a voice for low-income people's rights,
8 and in particular, here to incorporate the data and
9 studies that are coming out in places like New York
10 about the benefit of one dollar of legal services in
11 terms of return to the states and their own economies,
12 as well as the value in the enforcement of the rights?

13 It just seems to me that may not be within the
14 question that the GAO has asked. But it is absolutely
15 our understanding of where we fit in the larger picture
16 of the services to low-income people.

17 MS. BERGMAN: Yes. It's certainly not
18 covered, Martha, by any of the questions that they are
19 asking. But we could certainly make a reference to
20 that in our cover note, in describing the parameters of
21 what our work looks like.

22 CHAIRMAN MINOW: Yes, Julie?

1 MS. REISKIN: Do you have any idea what
2 they're looking -- is this about how all of the
3 programs have different income and asset criteria? Is
4 it how they don't work together? Do you know what
5 they're looking to get out of this?

6 I'm thrilled that someone is looking at all
7 this, and I'm just curious as to if you have any idea
8 what they're looking at or where it's going to go or
9 what the timeline is, any of those.

10 MS. BERGMAN: I would say that on its face, it
11 is strictly an analysis of how the federal government
12 is spending the funding that is directed at alleviating
13 poverty, and how effective those expenditures are.

14 The timeline is very quick. They're hoping to
15 have a draft report in February and a final report in
16 May.

17 CHAIRMAN MINOW: All right. So that sounds
18 great.

19 I think, then, we're ready to go to Board and
20 Committee evaluations. I take it at this point we're
21 simply looking at the forms?

22 MS. BERGMAN: Yes. I just wanted to mention,

1 the forms are in your book that are a replica of last
2 year. We had revised them last year with significant
3 input, and folks for the most part seemed pretty
4 comfortable with them.

5 The timeline is that we intend to send an
6 email with these evaluation forms to folks by the end
7 of October, with the goal of having everybody submit
8 them by December 15th. That's so that we can collate
9 and be able to provide all the results in time for the
10 January Board meeting.

11 We are also working to see if we can update
12 the way we've done this online. I know it wasn't
13 accessible easily for everybody last time around, and
14 some people ended up sending us hard copies. We're
15 seeing if we can do this a little differently so that
16 everybody can do them online.

17 We changed it last year to simplify it a
18 little bit so there were only two forms, not three.
19 You have an evaluation of your service on the Board,
20 which includes a self-evaluation, and then you do an
21 evaluation for your service on every Committee of which
22 you are a member. And this also includes the nonvoting

1 members of the Board.

2 But if people have any comments, since we're
3 not going to finalize this till the end of October,
4 obviously this is a really good forum, or to let me
5 know in the next week or two if there are any tweaks or
6 changes before we send everything out to people.

7 CHAIRMAN MINOW: And people can do it online
8 as well. Is that right?

9 MS. BERGMAN: Oh, yes. That's what I said.
10 We did do it online last year, but not everybody could
11 do it easily.

12 CHAIRMAN MINOW: Yes. Right.

13 MS. BERGMAN: So that's why we're trying to
14 update it, and we'll sent it out with all the
15 information by the end of October. Absolutely.

16 CHAIRMAN MINOW: Great. Julie?

17 MS. REISKIN: Yes. Just two comments. The
18 first question on both the Board and the Committee form
19 is really two questions. "The Board has a full and
20 common understanding of LSC mission, procedures, and
21 the roles and responsibilities of the Board." That's
22 one question, or one rating.

1 And then, "Board members are involved and
2 interested in the Board work" -- I just think those are
3 two different questions. Theoretically, and this isn't
4 the case here, but theoretically, the Board could have
5 an understanding but not be involved and interested.
6 And the Committee question is the same. It's also two
7 questions.

8 And then on the Committee question, number 3,
9 you have "Strongly agree" and "Strongly disagree."
10 There should be an N/A, a not applicable option,
11 because what if a committee hasn't had something
12 brought to it?

13 MS. BERGMAN: Yes. Thank you, Julie. Two
14 things I would just say in response. I know that John
15 wanted very much to keep these to ten questions. So we
16 created a couple of compound questions in order to do
17 that, the theory being that a lot of the feedback we
18 got from folks is that there were too many questions.

19 The notion is, especially in the email
20 version, there's comments, and that you can take as
21 much space as you want to comment on the different
22 aspects of the question. But obviously, I defer to the

1 Board in terms of whatever is going to be the most
2 effective way for folks to do --

3 MS. REISKIN: No. We'll say there's too few,
4 and next year we'll say there's too many again.

5 MS. BERGMAN: -- I'm happy to accommodate.

6 CHAIRMAN MINOW: I think it's a good response.

7 And Julie has a very fair point, but for now, could we
8 handle it in the form of comments, that if you feel
9 that you have one rating with regard to one part of the
10 question and another to another, then use a comment to
11 say so. Does that make sense?

12 MS. REISKIN: Yes. And like I said, it's not
13 really relevant now.

14 CHAIRMAN MINOW: Sure.

15 MS. REISKIN: It was just more reading it,
16 editorial. But that's fine.

17 CHAIRMAN MINOW: No. It's a good point.

18 MR. LEVI: My point on this was that with
19 Carol's referring to it is that this Board observes the
20 best practice of annually filling these out, and you
21 don't want to drown people who are serving by sending
22 them so much stuff that they feel burdened by it. So

1 there is that sort of balance.

2 CHAIRMAN MINOW: Balance. And we do hope to
3 have them all in, certainly, by January 1st if not
4 before.

5 MS. BERGMAN: Yes.

6 CHAIRMAN MINOW: Father Pius?

7 FATHER PIUS: I think these are very good.
8 Just one question. Just a thought. For the Committee
9 evaluations, there's no specific reference in any of
10 those to the strategic goals of the Corporation.

11 There is a mention of, "Has made significant
12 progress on long-term strategic issues related to its
13 goals and purpose." But whether there should be a more
14 explicit reference to the Committee's work in
15 relationship to the overall strategic planning of the
16 Board?

17 CHAIRMAN MINOW: That's a very good point.
18 Very good point.

19 Carole, could we add that?

20 MS. BERGMAN: Yes. I'd be happy to find a way
21 to incorporate that. Great.

22 CHAIRMAN MINOW: All right. So this is your

1 homework, everybody. You'll get an email, and I look
2 forward to being able to say that we have 100 percent
3 returns by January.

4 So thank you, Carol.

5 MS. BERGMAN: You're welcome.

6 CHAIRMAN MINOW: I think that that's it for
7 Carol. And now we turn to the research agenda, and I
8 turn to Jim.

9 PRESIDENT SANDMAN: Thank you, Martha.

10 Our consultants are working on the development
11 of an online toolkit to guide grantees in their
12 collection and use of outcomes data. The toolkit will
13 be a compilation of outcomes measurement practices
14 currently in use by other funders and by individual
15 grantees. It will offer a menu of options and
16 recommendations for best practices.

17 But we'll leave it to our grantees to choose
18 which of the tools we offer or one of their own
19 creation might best serve their purposes, depending on
20 what their circumstances are and the nature of their
21 practice.

22 We've identified a test group for the toolkit,

1 and expect to have something to them to consider by the
2 end of this month. And we'll be making a presentation
3 on the toolkit at the NLADA meeting in Washington, the
4 conference in November.

5 So we expect to have something, at least a
6 starter version. This is something that will evolve
7 over time. And we expect to get input on the site that
8 we create where grantees can share experiences and
9 recommendations -- what they've found works best for
10 them, what didn't work well for them -- with the notion
11 that it will create what our consultants call a
12 "community of learning" where grantees can learn from
13 each other's experiences.

14 CHAIRMAN MINOW: Jim, that sounds great. I
15 wondered, as that evolves, if we could have anything
16 written down about it because I think that the growing
17 research capacity with the grants and so forth raises
18 possibilities of actually thinking about, whether by
19 scale or geography, grouping some of the grantees
20 together so that they can be mindful, that they may be
21 choosing some tools but not another.

22 And yet if a somewhat comparable group is

1 doing another, it would be great to be able to have
2 them in conversation or be able to compare the results.

3 Just looking ahead to the possibility of evaluating
4 rather than simply self-report, here's what we find
5 helpful. It might be helpful to lay in the groundwork
6 of that nature.

7 PRESIDENT SANDMAN: Well, we can do that, and
8 certainly that's an excellent suggestion.

9 On a related point, we've gotten some
10 indications that some of the grantees in larger states
11 would like to adopt the same approach so that they can
12 share their information with their statewide IOLTA
13 funder -- California, for example, in particular, so
14 that each isn't going in its own direction.

15 CHAIRMAN MINOW: Sure. Exactly.

16 PRESIDENT SANDMAN: They can have comparable
17 numbers that they're using, and there would be a lot of
18 efficiencies in that. But that's more likely, I think,
19 to work on a state level than a regional level.

20 CHAIRMAN MINOW: That makes sense.

21 Julie?

22 MS. REISKIN: This is very exciting, and I'm

1 really glad you're using the term "communities of
2 learning" because if we really want to get outcome
3 measures, we've got to have that attitude.

4 Where we're going to be a little different
5 from other funders is that we're trying to promote best
6 practices in a community of learning, and we're also a
7 regulator. So have you given thought to how that's
8 going to balance? Because if we're going to have a
9 community of learning, it has to be a safe space for
10 grantees to really be able to talk about what doesn't
11 work as well as what does.

12 And again, I understand the need to regulate
13 and be very conscious of costs. But I would hate to
14 have some kind of discussion going on, and that results
15 then in a questioned cost, and then all of a sudden
16 there's some investigation. And that will just put a
17 chill on it.

18 But I also don't want to say, oh, we're not
19 going to investigate. I understand we've got to do
20 both. But we've got to be very strategic about this so
21 that this remains a very safe space and people can
22 really be open about that.

1 I'm just wondering if you could speak to that
2 and how that's happening.

3 PRESIDENT SANDMAN: Well, we're trying to
4 pursue that objective through the flexibility that
5 we're giving to grantees to choose their own outcomes
6 measurement tool as opposed to mandating a
7 one-size-fits-all for everybody.

8 So just the fact that we're giving that
9 freedom of choice I think obviates what otherwise might
10 be regulatory concerns. What we're telling them is,
11 you have to be measuring outcomes. You choose how.

12 If they don't do it at all, that's going to be
13 a regulatory problem. If they do it and they find out
14 that it's not yielding helpful results or there are
15 problems with it, there isn't going to be anything
16 about our regulatory requirement that's going to put
17 them at risk because of that experience.

18 So we will definitely be monitoring the
19 situation, and if it develops that a grantee is using a
20 system badly or using a system that isn't producing
21 helpful information for them, we'll follow up on that.

22 But that will be a discussion and not in the nature of

1 an enforcement proceeding.

2 CHAIRMAN MINOW: Well, Jim, I'm sure you'll do
3 this. But Julie's committee makes me think this is the
4 kind of moment where having even a different color
5 paper or background in the message -- something that
6 says, this is not coming to you from OCE. This is
7 coming to you from the communities of learning
8 initiative.

9 You can satisfy the requirement of outcome
10 measurement in any of the following ways, and we invite
11 you to join with us and with others in sorting it out.
12 Something that just screams, this is not going to get
13 you in trouble.

14 PRESIDENT SANDMAN: Definitely we can do that.
15 But I learned early on that one guaranteed laugh line
16 when I'm speaking to grantees is, I'm from LSC and I'm
17 here to help.

18 (Laughter.)

19 MS. REISKIN: Just a followup. I appreciate
20 what you're saying. I guess I'm thinking it might be
21 that they get helpful information. And I'm thinking of
22 just an example of, we put into place an outcome

1 measure, and one of the things we learned in addition
2 to outcomes is that some of our staff weren't tracking
3 their time properly. And we didn't know that until we
4 put this outcome measure in place and looked at
5 something a different way, and we're going to make a
6 change because of that.

7 I want to make sure that if they're then
8 sharing that, that we're not going to then come back
9 and collect on them because if we want people to really
10 be transparent and change and grow, they need to not be
11 incented to hide.

12 And I know that's probably not a terribly
13 popular thing to say, and that's something that's been
14 talked about with funders. Private foundations have a
15 lot more flexibility.

16 But I know that that's the move that the more
17 progressive foundations are taking, is, we want to make
18 people free and open and safe to really admit mistakes
19 and learn from them, not just to say, oh, it's a
20 free-for-all, but to have that true culture of
21 learning.

22 CHAIRMAN MINOW: I think it's a helpful

1 suggestion, Julie. It is complicated because, as you
2 know, we have a dual role. One possibility to explore
3 is to actually create a sufficient kind of
4 infrastructure, web-based community, so that people who
5 are engaging in this activity can be in conversation
6 with each other and not feel it is simply with us.

7 MR. LEVI: Well, I have a different comment.
8 It's somewhat related, Martha, but I would like to
9 have -- and I'm not sure whether it's a Committee call
10 or a Board call, but I think it's appropriate, in light
11 of the fact that NLADA is going to hear about this so
12 our grantees are going to hear about this, before
13 apparently our next Board meeting, when we might hear.

14 I want us to hear the presentation before
15 NLADA does, I think just to put all the Board in
16 position so that if they get questions or whatever,
17 they know what is out there. And I don't know whether
18 it's your Committee having a meeting or whether it's
19 the Board having a call. And you can suggest to the
20 Board that you would like us to do that.

21 CHAIRMAN MINOW: Right.

22 MR. LEVI: But somehow that should happen.

1 And it can happen two days before NLADA, as far as I'm
2 concerned, not to push --

3 CHAIRMAN MINOW: Thank you, John.

4 Jim, why don't we just confer about the best
5 way to do that.

6 PRESIDENT SANDMAN: We'll do that.

7 MR. LEVI: And then I think you'll be in a
8 better position if your grantee asks you what the heck
9 is going on.

10 CHAIRMAN MINOW: Do we have a further report
11 on research agenda, or you're done?

12 PRESIDENT SANDMAN: I do. We have received
13 another grant, good news, a 1.2 million grant from the
14 Margaret A. Cargill Foundation. This is payable over
15 two years. We've already received the first payment of
16 \$800,000.

17 The purpose of the grant is for LSC to develop
18 a legal services response plan and delivery system
19 following disasters in the Midwest. The foundation has
20 identified ten Midwestern states particularly prone to
21 disasters, particularly tornadoes and flooding, that
22 they would like us to choose two states within that

1 group to develop coordinated disaster response plans
2 that include the delivery of legal services.

3 We plan to do this by issuing two different
4 subgrants in two separate states. We put out a request
5 for applications on September 2nd, and responses are
6 due on October 15th. So we'll see what kind of
7 response we get. And the work will be done and money
8 will really be flowing to our grantees.

9 We got this grant because someone from the
10 Margaret Cargill Foundation attended a conference where
11 John Eidleman of LSC was speaking about our role in
12 providing legal services following disasters, and she
13 was very intrigued by the concept and followed up with
14 us.

15 So this was something where the funder came to
16 us asking us to submit a proposal, and I think it's
17 evidence of the leadership position that LSC has in the
18 delivery of legal services following disasters.

19 The idea here is that the systems that our
20 subgrantees develop will be integrated, coordinated
21 systems involving relationships with FEMA, with the
22 American Red Cross, with the American Bar Association,

1 others who are providing onsite disaster assistance, to
2 help educate them about how to identify the need for
3 legal aid services, what legal aid providers can do.

4 CHAIRMAN MINOW: Well, this is of course a
5 really wonderful development. And I wonder if some
6 time in the coming months Carl or someone on the team
7 could actually do a piece for our website, but also
8 more generally, about the role of legal services in
9 disasters, and even do a look-back from Katrina and
10 from the Sandy disaster, and Martha Bergmark's own
11 work, she's so well-situated since she was involved in
12 a lot of that.

13 So it would be something to highlight in the
14 going-forward public communications about the role of
15 legal services. I don't think it's what people usually
16 think about when they think about disaster relief, and
17 yet our grantees have really played a significant role.
18 And frankly, because of the labyrinthian nature of FEMA
19 and other kinds of emergency disaster relief, having a
20 lawyer turns out to be very, very helpful. Julie?

21 MS. REISKIN: I just wanted to illustrate that
22 with something that I've been dealing with in the past

1 couple weeks. And this is why legal services is so
2 important, is because a lot of these agencies do not
3 understand due process.

4 You know the FEMA trailers that people can
5 get. Well, apparently there's some clause somewhere,
6 or at least this is what FEMA leaders say, that you can
7 evict someone out of a trailer with a one-day notice.
8 I have an elderly disabled woman who's had that threat.

9 They then said that she needed to sign blanket
10 releases to a number of different -- kind of to anyone
11 anywhere for their case managers. And when I asked
12 what the statutory authority was, they responded by
13 saying they were closing her case. And that's just one
14 person from the Boulder floods.

15 And I'd be really interested to see -- and I
16 hope that some of the proposals will cover integrating
17 due process, having lawyers -- because of course I
18 don't have any authority to say to someone, you need to
19 do this -- but having lawyers be able to say to all of
20 these other agencies -- because it's FEMA and then they
21 have all these subcontractors, and it's hard to track
22 who's actually responsible or track the money; they

1 need an IG or someone to do that -- but to have
2 something about due process really integrated. I'll be
3 really interested; I hope we get something like that.

4 CHAIRMAN MINOW: Jim, I wonder if there's some
5 way we could get some social scientist to do some
6 evaluation as these efforts go forward.

7 PRESIDENT SANDMAN: I think that may be
8 something that we could talk to the Margaret Cargill
9 Foundation about funding, as followup to see what comes
10 of these programs.

11 CHAIRMAN MINOW: Because if they're setting up
12 the programs, then actually being able to have that
13 going forward would be very helpful.

14 PRESIDENT SANDMAN: Unfortunately, we'll
15 probably need a disaster to test them.

16 CHAIRMAN MINOW: Understood. Unfortunately,
17 we probably will get one. It is interesting to me to
18 see the rise, actually, in colleges and universities of
19 disaster relief as a major, as a concentration.

20 This is not going to be fewer. There are
21 going to be more going forward because of the changing
22 weather patterns, because of the burdens on

1 infrastructure. That's what people are predicting.

2 Gloria?

3 PROFESSOR VALENCIA-WEBER: Yes. There are
4 some law reviews that discuss and evaluate, in
5 descriptive terms and in some places better terms, what
6 happened in the aftermath of Katrina, and now the BP
7 ones are emerging. But Katrina particularly produced
8 some.

9 I haven't looked at the social science
10 journals to see if any of them did it. But what's
11 coming out, and this reflects the experience we had in
12 New Mexico, you may recall that in Katrina, first
13 effort was whatever went wrong in New Orleans, and then
14 people were evacuated to other places, including
15 Houston.

16 And then another big storm was coming in, so
17 then you had to evacuate people. And so there was like
18 a third level of disaster relief in which I know we
19 received about 15,000 people from Houston in
20 Albuquerque.

21 Fortunately, at that time we had a
22 professionally trained disaster planning person in city

1 government and county government. And they all looked
2 at what went wrong in New Orleans, what went wrong in
3 Houston, so that they day they arrive, they are pretty
4 much taken very efficiently to a fully operating
5 all-service center at the convention center, so
6 everything from immediate clothing to whatever was
7 needed.

8 But you had a full panoply of medical
9 services, housing, immediate checks. And before this
10 arrival, the law school and New Mexico Bar had been
11 asked to provide lawyers for the legal part. And these
12 are people who are needing to get documents that have
13 been lost or whoever, or whatever it is they need to do
14 to move their lives on.

15 And this fully integrated process went so much
16 better. They were out of the convention center within
17 a day and a half or two because housing had already
18 been arranged. And you didn't have people with the bad
19 things you saw on TV.

20 CHAIRMAN MINOW: That's great.

21 PROFESSOR VALENCIA-WEBER: So I think if you
22 looked at what happened at Katrina at the second and

1 third tier rescue efforts and how the insightful ones
2 on the third tier looked at what had gone wrong
3 previously, you see some very fine examples. And I
4 don't think Albuquerque was the only one.

5 CHAIRMAN MINOW: I wonder whether a future
6 session of the Delivery of Legal Services Committee
7 could turn to disaster relief. There's a wonderful
8 book called "Thinking in an Emergency" by Elaine Scarry
9 which could be summarized in the following sentence:
10 You can't. You can't think in an emergency, so you
11 have to think in advance. (Laughs.) It's a short book.

12 But I do think that what Gloria is saying
13 about the integration of the legal elements is part of
14 what thinking in advance does require. And it's
15 wonderful to see our grantees really at the forefront
16 of this, and lessons learned can only help the next
17 time.

18 Well, that's great. I think that that closes
19 the discussion of the research agenda. I would only
20 comment that following our 40th panel discussions, I've
21 now been approached by several chief justices of state
22 courts saying, hey, you said that the academics could

1 help us study legal services. Do you think that you
2 would? So I'm exploring that informally, and will
3 share whatever I discover or we create in the academic
4 world on that score.

5 As to other business, I just simply want to
6 raise that we will be starting in the next calendar
7 year, 2015, the performance review function again of
8 this Committee, and look forward to working with Jim
9 and Jeff on their own self-evaluations. And Jim, if
10 you have any reviews of senior people that you want to
11 tell us about, that will be just great.

12 Is there any other other business? Other
13 other business, how's that?

14 (No response.)

15 CHAIRMAN MINOW: No? Public comment?

16 (No response.)

17 CHAIRMAN MINOW: Okay. Consider a motion to
18 adjourn.

19 M O T I O N

20 MR. KECKLER: So moved.

21 MS. REISKIN: Second.

22 CHAIRMAN MINOW: All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN MINOW: Thank you.

3 (Whereupon, at 9:55 a.m., the Committee was
4 adjourned.)

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