

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS

MEETING OF THE  
BOARD OF DIRECTORS

OPEN SESSION

Sunday, April 15, 2012

3:00 p.m.

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

BOARD MEMBERS PRESENT:

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

## STAFF AND PUBLIC PRESENT:

Richard L. Sloane, Special Assistant to the President

Rebecca Fertig, Special Assistant to the President

Kathleen McNamara, Executive Assistant to the President

Victor M. Fortuno, Vice President for Legal Affairs,  
General Counsel, and Corporate Secretary

Mattie Cohan, Senior Assistant General Counsel,  
Office of Legal Affairs

Katherine Ward, Executive Assistant, Office of Legal  
Affairs

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

Jeffrey E. Schanz, Inspector General

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

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

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

Carl Rauscher, Director of Media Relations, Office of  
Government Relations and Public Affairs

## STAFF AND PUBLIC PRESENT:

Elizabeth Arledge, Communications Manager, Office of Government Relations and Public Affairs

Treefa Aziz, Government Affairs Representative, Office of Government Relations and Public Affairs

Janet LaBella, Director, Office of Program Performance

Traci Higgins, Director, Office of Human Resources

Will Carlin, VShift

Al Collins, VShift

Robert E. Henley Jr., Non-Director Member of Finance Committee

Thomas Smegal, Friends of LSC

John Constance, former Director, GRPA, LSC

Chuck Greenfield, National Legal Aid and Defender Association (NLADA)

Robert Stein, American Bar Association, Standing Committee on Legal Aid and Indigent Defendants

Terry Brooks, American Bar Association

Julie Strandlie, American Bar Association

Anne Carmichael, American Bar Association

## C O N T E N T S

	OPEN SESSION	PAGE
1.	Pledge of Allegiance	5
2.	Approval of Agenda	5
3.	Consider and act on a draft Strategic Plan for the Corporation	6
4.	Consider and act on motion to recess the meeting until April 16th	38

Motions: 5, 38

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

2 (3:00 p.m.)

3 CHAIRMAN LEVI: Because this is the opening of  
4 our board meeting, which will continue after this  
5 session over to tomorrow afternoon, we'll do the Pledge  
6 of Allegiance now. And then we'll approve the agenda.

7 So I'm calling the meeting to order, and ask  
8 that we all rise. And we have a flag. And Laurie, why  
9 don't you lead us.

10 (Pledge of Allegiance.)

11 CHAIRMAN LEVI: Can I have a motion to approve  
12 the agenda?

13 M O T I O N

14 DEAN MINOW: So moved.

15 MS. BROWNE: Second.

16 CHAIRMAN LEVI: All in favor?

17 (A chorus of ayes.)

18 CHAIRMAN LEVI: And now, after -- when did you  
19 guys start with us, Will and Al?

20 MR. CARLIN: I think it's been just about a  
21 year.

22 CHAIRMAN LEVI: Has it been a year?

1 MR. CARLIN: Just about a year.

2 CHAIRMAN LEVI: Well, a year of intensive  
3 investigation, of possibility, study, briefings. We  
4 actually now have for discussion a draft document  
5 titled the Strategic Plan for 2012 to 2015.

6 And I think this afternoon we'll have a  
7 discussion about it and whether folks feel like it hits  
8 the mark. And you may want to make some comments as to  
9 how you put it together, and just a little summary of  
10 where we are.

11 And then I'm opening it up to -- and Jim, do  
12 you have some things you want to say, or no? And then  
13 we'll open it up to board discussion and then public  
14 discussion.

15 MR. CARLIN: Sure. Just for those who may be  
16 listening in, my name is Will Carlin, and I'm here with  
17 Al Collins. We started about a year ago, and we've  
18 done a whole bunch of different steps in the process to  
19 get here.

20 There have been four briefing meetings. The  
21 first briefing was here, and it was done to the Board  
22 to really walk through some of the pros and consent of

1 past different strategic plan exercises, not that LSC  
2 has done but that have been within the communal  
3 experience, and some lessons learned there and some  
4 suggestions from us.

5           The second briefing was actually after we did  
6 the interviews. And just let me tell you about the  
7 interviews for a second. The interviews, we did 74  
8 interviews. It was a combination of Al and I doing our  
9 interviews together, and a number of board members who  
10 did interviews as well.

11           And they were with a broad variety of  
12 different folks, including grantee executive directors,  
13 some grantee board chairs, some staff members of  
14 Congress, some outsiders who were recommended by the  
15 Board who had different takes, both pros and cons, on  
16 LSC as an entity. And we did 74 of those -- each of  
17 them were somewhere between 45 minutes and 90 minutes  
18 in length -- and synergized all of those.

19           We then did a briefing to the Board in  
20 Seattle, which was really the results of those  
21 interviews, sort of what we heard in aggregate form and  
22 really just presenting that to the Board with some

1 potential takeaways that seemed to come out of those.

2           We then went off and did a bunch of work on  
3 our own and met again with the Board at Harvard in  
4 Cambridge, Mass., and did a briefing there on a bunch  
5 of communications issues, so everything from branding  
6 and logos and slogans to communicating with the field  
7 and how that might happen. And we did some analysis as  
8 well.

9           Then when you all, the Board, was in Chicago,  
10 we did a conference call, which was really presenting a  
11 briefing on some of the analysis that we had done. And  
12 we then went off and wrote, in combination with some of  
13 the LSC staff and input from various board members, a  
14 draft plan, which is the one you have now for your  
15 consideration.

16           It's undergone a number of different drafts.  
17 And I think that brings us to where we are.

18           MR. COLLINS: Will, you might want to mention  
19 the online surveys as well.

20           MR. CARLIN: Oh, thank you. We also conducted  
21 online surveys. So we did that to four different  
22 groups. So we did that to grantee executive directors,



1 grantee board chairs, client-eligible board members,  
2 and LSC staff.

3           And really, one of the things just to  
4 highlight out of that is that the response rate was  
5 sort of astronomical. We do a lot of surveys, and  
6 typical survey responses can be anywhere from 15 to 20  
7 percent; if you're getting about 40 percent, you're  
8 doing well. Just to give you an example, the executive  
9 directors are 135, I think, grantees --

10           CHAIRMAN LEVI: Yes.

11           MR. CARLIN: -- and we got responses from 124.

12       So that's a pretty startling response rate. We got  
13 responses from 74 board chairs, so that's really  
14 significant, and 96 board members, and -- I don't  
15 remember the exact number -- well over a hundred  
16 client-eligible board members. And just so you know,  
17 we collated all of those and actually read all of the  
18 individual responses and collated that into a document,  
19 which was also shared with the Board. What did I  
20 forget?

21           That's the process, John. That's really  
22 what's taken us to get here.

1           CHAIRMAN LEVI: Well, and I think the Board  
2 asks for that kind of a thorough process. And you guys  
3 have delivered that, and we so appreciate it. And I  
4 think it's reflected in the document.

5           But I myself think, based on our meeting  
6 already today on the Institutional Advancement  
7 Committee, that we may have to broaden out the  
8 development section somewhat. But it just needs  
9 tweaking; I don't know that it needs an entire rewrite,  
10 but I think it needs some tweaking.

11           I don't know what other reactions there are in  
12 the room. I thought it really read very well, and  
13 compliment you on the draft.

14           MR. COLLINS: Thank you.

15           CHAIRMAN LEVI: Other observations? Laurie?

16           MS. MIKVA: This is Laurie Mikva. Again, I  
17 agree. I think that it looks really good. I have one  
18 question and I question one part. I know this is  
19 something that has come up and that some people on the  
20 Board support. It's the performance triggers.

21           MR. CARLIN: Yes.

22           MS. MIKVA: Given that the law prohibits it at

1 this point, I don't know why we would put this in and  
2 get the grantees upset. I mean, if the law changes,  
3 then yes.

4 CHAIRMAN LEVI: That's an observation and a  
5 question.

6 PRESIDENT SANDMAN: Could I --

7 CHAIRMAN LEVI: Yes.

8 PRESIDENT SANDMAN: I read it differently,  
9 Laurie. I thought this acknowledged that the  
10 performance triggers would not affect funding, and the  
11 law currently wouldn't permit us to revise the  
12 statutorily prescribed funding formula to take account  
13 of performance in the way this suggests.

14 But I think the intention here with the other  
15 actions that could be taken was to identify non-funding  
16 actions that LSC might be able to take if the  
17 performance triggers came into play.

18 MR. COLLINS: Yes. That is correct. Those  
19 are intended -- if it reads differently, then we may  
20 want to clarify that. But just as you described was  
21 the intent of the writing.

22 CHAIRMAN LEVI: Well, the other thing is that

1 I thought that some of your surveys suggested on the  
2 other end of -- this assumed that we were going to be  
3 talking about low-performing. But on the other side, I  
4 think some of your survey, if I recall this -- am I  
5 remembering correctly?

6 MR. CARLIN: Yes, you are.

7 CHAIRMAN LEVI: People wanted recognition,  
8 too.

9 MR. CARLIN: Yes.

10 FATHER PIUS: That is in here as well.

11 CHAIRMAN LEVI: Yes, it is. And that is part  
12 of that same section, though.

13 MR. CARLIN: Yes. There was a wide variety --

14 MR. KORRELL: John, this is Harry weighing in.

15 CHAIRMAN LEVI: Yes.

16 MR. KORRELL: While we're on the same topic, I  
17 had a couple of reactions to this section. One is that  
18 I'm afraid that the intro piece of it that says that  
19 performance measures would not -- under current law  
20 could not affect the funding of any particular grantee  
21 could be read to suggest that failing to meet  
22 performance measures would not affect a new grant. And

1 think that's probably wrong.

2 I mean, I think our hope going forward is that  
3 if people are not -- if the grantees are not performing  
4 adequately, then that would affect subsequent grants.  
5 It might not under current law be used to change  
6 funding under a particular or an existing grant, but I  
7 do think it would affect the funding under subsequent  
8 applications.

9 FATHER PIUS: Harry, better to say it wouldn't  
10 affect the funding formulas.

11 DEAN MINOW: Yes.

12 MR. KORRELL: So I am concerned about the  
13 language there for that reason. I'm concerned about it  
14 because we had talked in the Ops & Regs Committee about  
15 regulations that would allow withholding of funding or  
16 delay in funding for grantees that are failing to meet  
17 certain metrics or that are having particular problems.  
18 And so I think it could be read as inconsistent with  
19 that.

20 And I'm also concerned with the comment at  
21 page 6, I think it is, that -- it says, "We recommend  
22 that rewards or corrective actions be triggered only by

1 grantee performance against clear and fair standards,"  
2 and that none of this happens until the end of a  
3 five-year time period. And to me, that seems too far  
4 out. So I have those concerns about the current draft,  
5 on that particular section.

6 DEAN MINOW: Harry, this is Martha. Could you  
7 suggest some language -- because I see your point  
8 exactly back on page 5 -- that would address it,  
9 perhaps, "alter the funding formula during the period  
10 of a grant," or is that what would get at what your  
11 you're saying?

12 MR. KORRELL: Yes. Something like that,  
13 right, that we are in fact constrained, and we are  
14 under the Act. But if we're constrained and then can't  
15 change the funding formula approved in the grant, then  
16 maybe that's a way to acknowledge. But none of this  
17 talks about changing the funding formula in an existing  
18 grant.

19 CHAIRMAN LEVI: I think that the comment was  
20 not page 6. It was page 5.

21 DEAN MINOW: Yes.

22 CHAIRMAN LEVI: Julie?

1           MS. REISKIN: Yes. On the same point, it's a  
2 small thing but it's about what we're messaging to the  
3 grantees. We have the little bullet points, and we do  
4 corrective actions for people falling below before we  
5 do rewards for those exceeding. I'd like to reverse  
6 that because I think we have more people doing a good  
7 job than not doing that, and I think we want to message  
8 that.

9           CHAIRMAN LEVI: I think that's a good  
10 observation, particularly at this time when our  
11 grantees are feeling such stress. We ought to look  
12 more positively.

13           DEAN MINOW: I want to go back to Laurie's  
14 comment because I worry that it may be misread. So I  
15 wonder if you have other thoughts about this.

16           MS. MIKVA: I think probably simpler would be  
17 better. Just, "Under current law, funding formulas  
18 could not" -- right. "Under existing law, funding  
19 formulas could not." I guess I would just do the  
20 "could not" and not the "would not."

21           DEAN MINOW: Well, one argument for the "would  
22 not" is that otherwise it looks like we're just chafing

1 at the bit to change the current law.

2 MS. MIKVA: Well, right, and that's not what  
3 I'm trying to --

4 DEAN MINOW: Which is not what I think you  
5 mean to imply. Yes.

6 CHAIRMAN LEVI: Any other comments? And how  
7 should we go about the --

8 DEAN MINOW: Amendments.

9 CHAIRMAN LEVI: -- giving edits? This is not  
10 probably the best -- editing by committee in an open  
11 forum like this, I'm happy to hear people's  
12 suggestions, but maybe we should submit our suggestions  
13 to Jim. Is that the way to do that, or --

14 DEAN MINOW: Could I suggest, John, before we  
15 do that, that we get a general sense from everyone.

16 CHAIRMAN LEVI: Yes.

17 DEAN MINOW: Are people comfort with the  
18 general structure, outline, and all of that? And then  
19 at that point we as a group agree to transfer this from  
20 Will and Al to him. Right. And it becomes our  
21 document. It's not a draft.

22 MR. KORRELL: This is Harry weighing in again.



1 I have two points.

2 One, John, I thought you when were soliciting  
3 more comments, it was on that section. I do have one  
4 more substantive comment about page -- it's on, I  
5 believe, page 3 of the draft. I'm looking at the  
6 electronic version, so I'm a little worried my  
7 pagination might be of.

8 Within part 1, if you want to just go up to  
9 it, and it is regarding our second -- excuse me -- in  
10 pursuit of our mission, our second goal. Do you see  
11 that? It says, "We will improve communication about  
12 the work of LSC and our grantees. We will take  
13 responsibility for working with all providers of legal  
14 services to low-income individuals and with federal  
15 government agencies," et cetera.

16 That just strikes me as perhaps a little too  
17 broad, given what we're trying to do and the resources  
18 of the Corporation. I'd flag that for anybody else's  
19 reaction. So that's observation one.

20 And observation two, and this perhaps is a  
21 drafting issue, but it does seem like the draft hops  
22 back and forth occasionally between being a draft

1 strategic plan and a report or set of recommendations  
2 from VShift to the Board. And I just want to make sure  
3 that when we do get around to having a strategic plan,  
4 that we make it consistent in terms of what it is.

5 CHAIRMAN LEVI: Those are all good  
6 observations.

7 MR. KORRELL: And again, it's more of an  
8 editing issue than a substantive one.

9 FATHER PIUS: From first person to third  
10 person.

11 CHAIRMAN LEVI: Yes. That's right.

12 MR. CARLIN: Yes. Harry, that's a good catch,  
13 and done semi on purpose because some of the points we  
14 wanted to really make sure you guys are comfortable  
15 with. So there's some woulds instead of wills, and  
16 there's some first person versus third person changes.

17 And when I was reading it through again after  
18 we had done it, I think it's reflective of us trying to  
19 take what various people have recommended and not be  
20 too strong in that this is the way it's going to be,  
21 but get some reaction. But good catch.

22 CHAIRMAN LEVI: Who has control of the

1 document right now? Do we or do you?

2 MR. CARLIN: Both. You guys have a Word  
3 document. We're working off the same iteration. There  
4 have been no corrections or changes since this draft,  
5 so both of us have the final working draft at the  
6 moment.

7 MS. REISKIN: Just one other broader comment  
8 on the tone around the fiscal issues. And possibly  
9 when you integrate the development piece, that might  
10 solve it. But it seemed very fatalistic, like  
11 resources are declining, and they're going to continue  
12 to decline, and we're just accepting that.

13 I don't know exactly; probably someone smarter  
14 than me can figure out exactly what to do with that.  
15 But I think we need to say that -- I mean, obviously  
16 that is the case now, but hopefully it will not always  
17 be the case. I don't know if anyone else had thoughts  
18 about that.

19 MR. COLLINS: Julie, are you thinking  
20 primarily on page 1 in part 1, in the introductory  
21 piece?

22 MS. REISKIN: Yes. Yes, there's a whole

1 section. And it's all true, but I think part of what  
2 we're going to work for is to reverse that trend. And  
3 obviously, there are certain things we can't control,  
4 like the national economy.

5 But I think that we've all taken a position on  
6 this Board that we want to reverse that trend, both  
7 locally and nationally. So I don't know how to say  
8 that, or if the development piece will fix that, John.

9 CHAIRMAN LEVI: I think so. I hope so.

10 DEAN MINOW: It's Martha. Harry, can I just  
11 go back to your good comment about page 3. Do you  
12 think that there should be no reference to any  
13 involvement with other federal agencies, or it should  
14 be changed to something other than "taking  
15 responsibility for," so something more like "seeking to  
16 work with"? Or should it be eliminated altogether?

17 MR. KORRELL: I don't have any objection to  
18 including in our strategic plan a goal that we will  
19 work with other providers of legal aid, whether it's  
20 grantees, grantee organizations, state funders, or  
21 federal agencies that are creating some of these  
22 problems that we're trying to fix.

1 MS. REISKIN: Right.

2 MR. KORRELL: I think that's a good thing. I  
3 just think it's too ambitious to say categorically that  
4 we're going to take responsibility for working with all  
5 providers of legal services and all the federal  
6 agencies that cause problems for our clients.

7 CHAIRMAN LEVI: Yes. Yes.

8 MR. KORRELL: I just think we need to scale  
9 back the articulation of our goal. And I think "we  
10 will work with and seek to cooperate with," something  
11 like that, is more appropriate for what we are  
12 realistically able to accomplish in five years.

13 DEAN MINOW: That makes a lot of sense. Thank  
14 you.

15 CHAIRMAN LEVI: Yes.

16 PROFESSOR KECKLER: This is Charles Keckler.  
17 Let me add on to that comment. We can just  
18 change -- we don't want to edit in committee, but it  
19 says, "We will take responsibility for working with."  
20 Perhaps, "We will work with."

21 CHAIRMAN LEVI: Yes.

22 PROFESSOR KECKLER: And then sort of a little

1 bit broader, and this is truly, maybe, worth the  
2 Board's attention here, is that second goal says, "Our  
3 second goal is to be the leading voice for civil legal  
4 services for people in poverty in the United States."

5 Well, are we going to be the leading voice or  
6 are we going to be a leading voice? I think there's no  
7 doubt that we need to be a leading voice. The leading  
8 voice is perhaps something that, after five years,  
9 others may conclude. But I'm not sure that we should  
10 go forward assuming that that will be so.

11 CHAIRMAN LEVI: Go right ahead.

12 DEAN MINOW: I think that's a fair concern.  
13 And also, others may know better than I do. I don't  
14 think we want to invite a negative reaction from others  
15 with whom we need to be partners.

16 PROFESSOR KECKLER: That's right.

17 CHAIRMAN LEVI: Well, if we are a leading  
18 voice and emerge as the, that's okay, too.

19 PROFESSOR KECKLER: Yes.

20 CHAIRMAN LEVI: I understand. I think that's  
21 a good observation.

22 Other comments? Questions? Issues? Julie,

1 and then I'm going to ask if there's public comment  
2 about it, if there's any in the room that wish to  
3 comment at this juncture, too.

4 MS. REISKIN: I noticed it mentioned that we  
5 were everywhere except American Samoa. And I know that  
6 is the case now, again. But do we want that in a  
7 five-year document? I know that there's been some  
8 activity on that. Is that appropriate for a strategic  
9 plan, to have that specific thing pointing out, I guess  
10 is my point.

11 FATHER PIUS: I think it's just pointing out  
12 the current factual situation on the changes. But we  
13 can just put "most of" and eliminate that.

14 MS. REISKIN: That's what I was thinking.

15 FATHER PIUS: There don't have to be total.

16 DEAN MINOW: I say pull them out.

17 MR. COLLINS: I'm sorry. What was the --

18 CHAIRMAN LEVI: Well, on page 1 there, we  
19 singled out American Samoa. We could just say "most  
20 every territory."

21 PRESIDENT SANDMAN: The point is, American  
22 Samoa is a recognized service area. We just don't

1 currently have a grantee there. We'd love to have a  
2 grantee there. So we can make that amendment, Julie.

3 CHAIRMAN LEVI: Laurie?

4 MS. MIKVA: I'm just wondering what the  
5 process is from this pt. Do we know?

6 CHAIRMAN LEVI: I think so. I think the  
7 process is that we collect these comments, and if  
8 others on the Board have edits, we get them to Jim, and  
9 then circulate a revised draft. And then it's --

10 FATHER PIUS: Are you thinking of a timeline  
11 for this?

12 CHAIRMAN LEVI: Well, I want to be considerate  
13 of the Board. But I also thought if we heard -- three  
14 weeks? Two weeks?

15 FATHER PIUS: It would be helpful for me if I  
16 had this as a separate electronic copy.

17 CHAIRMAN LEVI: Can we provide this as  
18 a -- Becky, we can and will? Okay. Yes.

19 PRESIDENT SANDMAN: I have it in Word. I can  
20 do that. Yes.

21 CHAIRMAN LEVI: And then, to the extent that  
22 there are conflicting edits, we'll have a conversation



1 about those places where we don't quite agree and try  
2 to iron those out in one more open call.

3 FATHER PIUS: Yes. But I think it's from --

4 CHAIRMAN LEVI: But given where we are, it  
5 seems like we could get pretty close to adopting this  
6 and not having to wait till July.

7 FATHER PIUS: Yes. I think from my point of  
8 view, and I think probably everybody's, the structure  
9 of this is good. There needs to be some changes in the  
10 details, but I think this gives us a great overall  
11 structure.

12 And then we can -- we're lawyers. Look, we're  
13 going to dither over the words for a bit. We'll do our  
14 dithering and I think get it into good shape.

15 PRESIDENT SANDMAN: I think we would want to  
16 put this out for comment in the Federal Register.

17 FATHER PIUS: The question is --

18 CHAIRMAN LEVI: I don't think we can do that  
19 until we're --

20 PRESIDENT SANDMAN: Oh, no. I agree with  
21 that. But just in terms of the overall process, when  
22 you were talking about when the Board might adopt, I

1 don't think the Board should take final action until --

2 CHAIRMAN LEVI: Oh, no. No, no, no. But we  
3 have to have -- okay. We aren't going to put out in  
4 the Federal Register a document that we aren't  
5 comfortable is --

6 PRESIDENT SANDMAN: Of course.

7 CHAIRMAN LEVI: -- that is still being  
8 drafted.

9 PRESIDENT SANDMAN: Yes. I wasn't suggesting  
10 that.

11 CHAIRMAN LEVI: Okay. That's what I think.

12 DEAN MINOW: So if I could say it, there are  
13 three stages of board views about this. One we're at  
14 right now, which is are we -- as Father Pius suggests,  
15 but I'd like to hear if everybody is -- comfortable  
16 with its basic outline, its basic content.

17 The second stage is to actually get a document  
18 that we're ready to share with the public. And the  
19 third is to formally endorse it after there's been an  
20 opportunity for public comment.

21 MS. BROWNE: I know earlier we were talking  
22 about incorporating some language from the development

1 committee into the strategic plan. Do we have some  
2 idea of where it's going to be and what we're  
3 anticipating that language to be? Right now, it's a  
4 little bit more of a draft than I might feel  
5 comfortable doing some wordsmithing on.

6 CHAIRMAN LEVI: I agree with that. It's page  
7 9 where there's reference to development. But I think  
8 it has to be a broader reference. And I think it  
9 actually has to be -- it's not just editing.

10 DEAN MINOW: No. I agree. And let me see if  
11 summarizing the committee meeting we just had would be  
12 helpful towards that end.

13 It seems as though there's one, and maybe two,  
14 missing concepts here. One is the development of a  
15 capacity inside of LSC to raise funds for functions  
16 that would benefit the field, that include but may not  
17 be limited to research, technology, and the development  
18 of capacity.

19 CHAIRMAN LEVI: Pro bono capacity.

20 DEAN MINOW: Exactly. Pro bono capacity. I  
21 guess the fourth is public relations, but that's sort  
22 of here already. So then I was going to make that the

1 second, and I just wasn't sure whether that's at a  
2 level of detail too specific to put here. So that's  
3 why I said --

4 CHAIRMAN LEVI: We could put it as an example.

5 DEAN MINOW: As a possibility or something,  
6 yes.

7 CHAIRMAN LEVI: As an example of the kind of  
8 thing.

9 DEAN MINOW: Yes. So does anyone have a  
10 concept beyond those? Because if those are the right  
11 ones, then we could work on the language for it.

12 CHAIRMAN LEVI: And what we might do is  
13 actually circulate a draft of that insert, because it's  
14 a little more significant, ahead of the entire  
15 document, and get people's reaction to that.

16 I was hoping that when Jim made the  
17 observation about the Federal Register, what my vision  
18 was was that somehow between now and the July meeting,  
19 we could take care of all of these steps, including the  
20 notice and -- so we would have to be at a point  
21 telephonically, I guess, that we're comfortable with  
22 putting something out there that we can get public

1 comments back and be in a position in July to adopt it.

2 Maybe that's too fast, but I don't know why it  
3 should be. We're, I think, well into 2012.

4 MS. REISKIN: How long is the Federal Register  
5 for?

6 CHAIRMAN LEVI: Thirty days.

7 PRESIDENT SANDMAN: Thirty days, typically.

8 CHAIRMAN LEVI: Thirty days, and if -- and  
9 then it will depend on the comments we get back, I  
10 guess. And then we'll have to see where we're at.

11 Yes?

12 FATHER PIUS: Just going back to the  
13 development thing, I don't think there's anything much  
14 in here about your idea of the alumni board and that.  
15 Do we want to make specific reference to that?

16 DEAN MINOW: No. That's too specific.

17 CHAIRMAN LEVI: Is that too specific?

18 DEAN MINOW: Too specific. That's a tactic,  
19 not a --

20 PROFESSOR KECKLER: John, I was going  
21 to -- and you can maybe comment on this, too. One of  
22 the things that has occasionally come up during the

1 strategic planning process is the idea of explicitly  
2 saying that we're going to have annual goals or annual  
3 priorities without necessarily specifying what those  
4 are, but saying that we're going to.

5           And that's not in this draft. It could be  
6 added later. But I wanted to just get a read on some  
7 thoughts about the Board in terms of saying, okay,  
8 every year we're going to have something, some kind of  
9 annual focus.

10           CHAIRMAN LEVI: What say the rest of you on  
11 this?

12           MS. BROWNE: I agree. It would be nice to be  
13 able to revisit the strategic plan annually --

14           CHAIRMAN LEVI: Oh, sure.

15           MS. BROWNE: -- to find out if we're moving  
16 forward in implementing it.

17           CHAIRMAN LEVI: That's in there, I think.  
18 Isn't that --

19           PROFESSOR KECKLER: No, no. That's going to  
20 be part of it because there's supposed to be metrics,  
21 which again, we're not talking about the specific  
22 metrics that would be for each of these initiatives.

1           Each of these initiatives presumably is going  
2 to have metrics that either are going to get developed  
3 here within the strategic plan -- I can see you're  
4 nodding your head -- and then Ops & Regs or the Board  
5 as a whole is going to look at those annually.

6           I was talking about something else, which a  
7 lot of strategic plans have, which is that they say,  
8 okay. These are our five-year goals, but as part of  
9 that, we are going to have --

10           CHAIRMAN LEVI: Well, that's implementation.

11           PROFESSOR KECKLER: Yes. We're going to have  
12 the --

13           CHAIRMAN LEVI: This is what we're doing this  
14 year, and this is what we're doing --

15           PROFESSOR KECKLER: Right. We're going to  
16 have some annual -- we're planning on having an annual  
17 priority that is an annual focus, for instance. If you  
18 had an annual focus on, say -- we would pick it, but it  
19 would be something like domestic violence.

20           And then when we say we're developing research  
21 or we're having special grants or we're even soliciting  
22 development funds, it would be for that. And we would

1 pick an annual topic that would capacity-build, for  
2 instance, in specific topic areas. That's something  
3 that some strategic plans do that can be useful.

4 DEAN MINOW: So I think it would be great to  
5 be a little more specific in the mode that Sharon just  
6 was, that we should be very clear to each year, have an  
7 assessment of how far we're moving ahead on the goals  
8 articulated in the strategic plan.

9 I know just what Charles is talking about, and  
10 I've seen plans that do what he's saying. I'd be  
11 reluctant to have a specified annual dimension there.  
12 So I think language about periodic articulation of  
13 goals seems right, partly because this is a very  
14 ambitious plan.

15 And exactly figuring out whether your chunks  
16 make sense as opposed to others, I'm just not ready to  
17 answer that question. And I think that we're here. We  
18 really are going to need to rely a lot on Jim and how  
19 Jim identifies priorities.

20 CHAIRMAN LEVI: And you're nodding, I think.

21 PROFESSOR KECKLER: I'm nodding by saying that  
22 it doesn't have to be annual, to be bound by that.



1 We're already through 2012.

2 DEAN MINOW: Exactly.

3 PROFESSOR KECKLER: I mean, I do think that  
4 it's important to understand that we are going to think  
5 about prioritizing within the -- we're not waiting for  
6 five years to revisit.

7 DEAN MINOW: Excellent. Totally right.

8 PROFESSOR KECKLER: And we are going to be  
9 thinking about things in an under-five-year scale.

10 CHAIRMAN LEVI: I think that's helpful.

11 MR. CARLIN: Just to react to that for a  
12 second, one of the things that strategic plans  
13 developed by boards and consultants usually want to do  
14 is make sure that, particularly in a case like this  
15 where this is really going to come down largely to  
16 staff to exercise, is that there is flexibility and  
17 room for them to prioritize and develop on a  
18 shorter-term basis.

19 There are some places in here where there is  
20 some sequencing that is generally mentioned because  
21 there are some places, for example, where you would  
22 want to make sure at that time you have good

1 performance metrics before you put into place anything  
2 regarding a performance criteria program.

3 And so there's a necessarily implied  
4 sequencing that happens there. But it's also right now  
5 a little bit vague on purpose to allow staff, once this  
6 is approved, to come up with a plan that would mimic  
7 this and really have some intermediate goals, as you're  
8 suggesting, Charles.

9 CHAIRMAN LEVI: I don't know if any of  
10 the -- public comment is listed on our board agenda as  
11 tomorrow. And so certainly we'll receive public  
12 comment tomorrow, too. And this isn't the only  
13 opportunity for the public to comment on this draft,  
14 either.

15 But if there are folks in the room or on the  
16 phone that wish to comment or have questions or issues  
17 and want to say something right now, that would be  
18 fine. Anybody on the phone?

19 (No response.)

20 CHAIRMAN LEVI: Anyone in the room?

21 (No response.)

22 CHAIRMAN LEVI: Anything else from the Board

1 as it relates to this?

2 DEAN MINOW: I think we just want to say  
3 thanks to Will and Al.

4 CHAIRMAN LEVI: Yes, I do, for conducting a  
5 very -- the kind of process that this Board asked you  
6 to conduct. And I think the fact that we have this  
7 kind of discussion happening today is, I think, an  
8 indication you landed pretty close to the mark.

9 MR. CARLIN: Thank you. It's been a lot of  
10 fun and a lot of interest to work with you guys. We've  
11 learned a lot.

12 CHAIRMAN LEVI: Now if you can raise a lot of  
13 money for us --

14 (Laughter.)

15 CHAIRMAN LEVI: Anything else on this?

16 MS. REISKIN: Timeline. When are we going to  
17 get the electronic version?

18 CHAIRMAN LEVI: Probably tomorrow or later --

19 PRESIDENT SANDMAN: Yes.

20 CHAIRMAN LEVI: Yes, tomorrow.

21 MS. REISKIN: Okay. That's fine.

22 CHAIRMAN LEVI: And then I guess we

1 should -- with Harry on the phone and with all of you,  
2 can we get the comments back? Is a two-week time frame  
3 sufficient?

4 DEAN MINOW: Yes.

5 CHAIRMAN LEVI: And do a couple of board  
6 members wish to collaborate with Jim in sorting through  
7 them? Father Pius and Martha?

8 (Laughter.)

9 CHAIRMAN LEVI: I know it's graduation season.  
10 No pressure.

11 DEAN MINOW: Sure. Sure.

12 CHAIRMAN LEVI: But otherwise, if Laurie and  
13 Harry want to, that's fine, too. Folks, if you -- or  
14 Sharon, any of you volunteer. I just threw names out  
15 there.

16 DEAN MINOW: You're just throwing out the  
17 names of people who still write with quills, I think.

18 (Laughter.)

19 CHAIRMAN LEVI: But if a couple would  
20 volunteer, I think, rather than having Jim have to do  
21 this solo mission, it would be helpful.

22 DEAN MINOW: Sure.

1           CHAIRMAN LEVI:  You can do that after the  
2 meeting, too.

3           And then if two weeks goes by and we give a  
4 week or so to integrate that, that would seem like  
5 around the first or second week of May we could be able  
6 to circulate a document to the Board and then have a  
7 telephonic meeting about it.

8           And assuming that we feel it is where it  
9 should be, we would then be in a position to publish  
10 it.  And that, if we had 30 days, would actually mean  
11 that near the end of June we should have the comments  
12 back, and that should give us enough time to see what  
13 we're got for our July meeting.

14          DEAN MINOW:  That sounds good.

15          CHAIRMAN LEVI:  So that seems like a good  
16 plan.

17          FATHER PIUS:  And what do people like in terms  
18 of the turnaround document?  Redline?  Or just a clean  
19 document, I think, probably is the best.

20          CHAIRMAN LEVI:  Oh, I think a redline is the  
21 helpful thing.

22          FATHER PIUS:  A redline with all of the dates

1 of comments --

2 DEAN MINOW: We'll do both.

3 CHAIRMAN LEVI: What I find distracting is  
4 when it's red, green, purple, all the multi -- that  
5 really -- yes.

6 Any other comments? Questions?

7 (No response.)

8 CHAIRMAN LEVI: Thanks very much. We now need  
9 a motion to recess the board meeting until tomorrow  
10 afternoon.

11 M O T I O N

12 MS. REISKIN: So moved.

13 DEAN MINOW: Second.

14 CHAIRMAN LEVI: Second. All in favor?

15 (A chorus of ayes.)

16 CHAIRMAN LEVI: Thank you all.

17 (Whereupon, at 3:37 p.m., the Board was  
18 recessed until the following day, April 16, 2012.)

19 \* \* \* \* \*

20

21

22