

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE
BOARD OF DIRECTORS

OPEN SESSION

Saturday, January 21, 2012

9:12 a.m.

Westgate Hotel
Versailles Ballroom
1055 Second Avenue
San Diego, California 92101

BOARD MEMBERS PRESENT:

John G. Levi, Chairman
Martha Minow, Vice Chair
Sharon L. Browne
Robert J. Grey Jr.
Charles N.W. Keckler
Harry J.F. Korrell, III
Victor B. Maddox
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
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
John Constance, Director, Office of Government
Relations and Public Affairs
Stephen Barr, Communications Director, Office of
Government Relations and Public Affairs
Jeffrey E. Schanz, Inspector General
Laurie Tarantowicz, Assistant Inspector General and
Legal Counsel, Office of the Inspector General
Joel Gallay, Special Counsel to the Inspector General,
Office of the Inspector General
Ronald "Dutch" Merryman, Assistant Inspector General
for Audit, Office of the Inspector General
Thomas Coogan, Assistant Inspector General for
Investigations, Office of the Inspector General
David Maddox, Assistant Inspector General for
Management and Evaluation, Office of the
Inspector General

Chuck Greenfield, National Legal Aid and Defender
Association (NLADA)
Don Saunders, National Legal Aid and Defenders
Association (NLADA)
Justice Earl Johnson, Jr., American Bar Association
(ABA) 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 (9:12 a.m.)

3 CHAIRMAN LEVI: I will call the meeting of the
4 Board of Directors -- do we know what number meeting
5 this is of the Board of Directors of the Legal Services
6 Corporation in our history? Maybe Earl Johnson knows.

7 Anyway, this is a regularly scheduled annual meeting.

8 So maybe if it's the annual meeting, it's something

9 like the 38th -- but that's just hazarding a guess --

10 of the Legal Services Corporation's Board of Directors,
11 duly noticed, published in the Federal Register.

12 And as is our tradition, let's begin by having
13 the Pledge of Allegiance. And our California member
14 can lead us. Sharon?

15 (Pledge of Allegiance.)

16 CHAIRMAN LEVI: Thank you, everyone.

17 I've been asked, as it relates to the agenda,
18 if you look at the agenda, you'll see that item No. 33
19 in the closed session piece of the agenda, we're going
20 to actually move that up and have it be the last item
21 in the public session, before public comment.

22 So with that amendment to the agenda, could I

1 please have an approval of the agenda?

2 M O T I O N

3 MS. REISKIN: I so move.

4 DEAN MINOW: I second the amended proposal for
5 the agenda.

6 CHAIRMAN LEVI: And a second?

7 DEAN MINOW: I was the second, Julie first.

8 CHAIRMAN LEVI: Oh, she was? I'm sorry.

9 Julie Reiskin moved it. Martha seconded. All in
10 favor?

11 (A chorus of ayes.)

12 CHAIRMAN LEVI: Can I have approval of the
13 minutes? Is there any reason to break these three out?

14 If not, could I have an approval of all three of the
15 minutes?

16 M O T I O N

17 MR. MADDOX: So moved.

18 CHAIRMAN LEVI: Second?

19 MS. BROWNE: Second.

20 CHAIRMAN LEVI: All in favor?

21 (A chorus of ayes.)

22 CHAIRMAN LEVI: The minutes are approved.

1 And now we get to nominations for the Chairman
2 of the Board of Directors.

3 M O T I O N

4 MR. MADDOX: Mr. Chairman, I would like to
5 place into nomination the name of John Levi.

6 When I was a first year law student, I had a
7 professor who often said, "To ask the question is to
8 answer it." And I didn't really know what that meant.

9 But now I do, and when I say, should John Levi serve
10 another term as Chairman of Legal Services Corporation,
11 do I really need to go on?

12 John may not be uniquely suited for the
13 position, but it's close. He assumed the post at a
14 critical time in the Legal Services Corporation's
15 history. There was no permanent president. The
16 executive offices were in something of disarray. There
17 were successive critical GAO reports outstanding.
18 There was anger and expressed outrage, feigned or real,
19 on Capitol Hill, even among the Corporation's friends.

20 John took the helm in April of 2010 and
21 immediately set to work to put all of that right. I
22 submit that his personal commitment of time and energy

1 is unmatched in the 38-year history of the Corporation.

2 I'm going out on something of a limb since I don't
3 know all of the chairmen, but I would be surprised if
4 anyone had done more.

5 John is the right man in the right place at
6 the right time for the job. He's perfectly suited by
7 training and experience, by intellect, by disposition,
8 and by integrity. He has approached the job with
9 complete fairness and nonpartisanship, I think, in
10 every aspect of his work.

11 I remember days after my name was announced as
12 a nominee for the Board, I actually had a call from
13 John. And I'd never heard of him before and didn't
14 know who he was. But that certainly set the tone for
15 our working relationship, and I'm sure that every other
16 member of the Board had a similar phone call.

17 So it's my great privilege and high honor to
18 nominate John Levi for another term, and I ask that all
19 of my colleagues on the Board join me in offering their
20 support to the nomination.

21 CHAIRMAN LEVI: Thank you.

22 Gloria?

1 PROFESSOR VALENCIA-WEBER: I would like to
2 second the nomination. Besides all the very big,
3 significant contributions that Victor has just outlined
4 for us, I also want to add my appreciation for John's
5 leadership in seeing that we do not meet this January
6 in D.C. I just learned that it is snowing in D.C.

7 (Laughter.)

8 PROFESSOR VALENCIA-WEBER: And I recall the
9 last two Januaries in D.C. So thank you, and it's a
10 pleasure to second.

11 CHAIRMAN LEVI: Sharon?

12 MS. BROWNE: I also want to just express my
13 appreciation for the leadership that John has shown to
14 this Board in the past. He has unlimited energy and
15 vision for the Corporation. And I agree that another
16 energetic year with John will really help the
17 Corporation in the future.

18 CHAIRMAN LEVI: Thank you, Sharon.

19 Julie?

20 MS. REISKIN: Yes. I believe at the last
21 meeting, I think it was Robert who said that John makes
22 the Energizer Bunny look lazy. And that's true. But I

1 think that the leadership team of John, Martha, and
2 Jim, like what I said yesterday, every external
3 assessment -- and again, we're not here as a popularity
4 contest; we're here to do a job -- but our public
5 perception is important, and how we relate to all kinds
6 of people is very important.

7 On every level, all of these task forces,
8 everything, what we keep hearing over and over again is
9 the new leadership team of John, Jim, and Martha. The
10 new leadership team, fresh life. It's such a positive
11 direction that again, if it ain't broke -- and it's
12 definitely not broken.

13 So we're hearing -- that's probably the only
14 thing that everyone agrees on, but there does seem to
15 be universal agreement that this leadership team is
16 definitely working well.

17 CHAIRMAN LEVI: Thank you.

18 Any other nominations?

19 (No response.)

20 CHAIRMAN LEVI: I guess it was seconded. All
21 in favor?

22 (A chorus of ayes.)

1 CHAIRMAN LEVI: Opposed?

2 (No response.)

3 CHAIRMAN LEVI: Thank you very much. I'll say
4 a few words when we get to the Chairman's report. But
5 it's a privilege to serve in this role and to work with
6 all of you. How lucky for me -- I knew a couple of you
7 before I assumed this role, but how lucky for all of us
8 that we have each other and the various strengths we
9 all bring to this task here.

10 And the fact that you're willing to be prodded
11 by the Energizer whatever I am, and be gracious in
12 responding -- I will tell you, not one of you has ever
13 turned down a request. And that's really quite
14 remarkable. I've served on many boards. That doesn't
15 happen very often.

16 Let's consider and act on the nomination for
17 the Vice Chairman of the Board of Directors. Julie?

18 M O T I O N

19 MS. REISKIN: I would be very honored to
20 nominate Martha Minow to serve another term as the Vice
21 Chair. Everything that's just been said, she's done.
22 Her leadership is incredible. And again, it's working

1 well. It's a good leadership team. And I nominate
2 Martha Minow.

3 CHAIRMAN LEVI: Charles?

4 PROFESSOR KECKLER: I'd like to second that
5 nomination. Martha's intelligence, insight, and
6 experience have been a tremendous asset to this
7 organization. I've had the privilege to serve on a
8 number of committees with Martha, and it's been a very
9 wonderful, educational, and collaborative experience.
10 And so I'm very happy to second that nomination.

11 CHAIRMAN LEVI: And how about her writing our
12 strategic plan in 30 seconds yesterday?

13 (Laughter.)

14 CHAIRMAN LEVI: Any other comments?

15 MR. KORRELL: John, you make that joke. But
16 that incident, something like that, has happened every
17 board meeting we have had, where we've been slogging
18 around in the muck for 20 minutes and then Martha
19 synthesizes it in about 30 seconds, usually with three
20 bullet points, two sub-points, and we're done. If she
21 weren't our Vice Chair, we'd have to do a lot more
22 work.

1 MR. MADDOX: John, I want to associate myself
2 with everyone's remarks about Dean Minow. Yesterday,
3 in the face of her performance on the strategic plan, I
4 asked her if she got to be dean because she could do
5 that, or if she could do that because she was dean.

6 But whatever it was, I suspect it was more
7 just innate ability because it's really quite
8 remarkable. And I would hate to be on the other side
9 of a faculty argument at Harvard Law School.

10 (Laughter.)

11 MR. MADDOX: So I'm thrilled to be able to
12 support the nomination.

13 CHAIRMAN LEVI: Father Pius?

14 FATHER PIUS: Don't hold me to this a year
15 from now. But I think it's quite a testament, really,
16 to both Martha and John that -- I think the support for
17 the two of you in the roles you're in are despite who
18 has the majority on the Board.

19 And I think the fact that you have unanimous
20 support from both sides of the aisle, as it
21 were -- although it's hard to figure out where the
22 sides are if you come to this from outside -- that I

1 think there would be support for you regardless of who
2 had the majority.

3 But again, a year from now, don't hold me to
4 that.

5 (Laughter.)

6 CHAIRMAN LEVI: Well, let us hope it always is
7 that way. Robert?

8 MR. GREY: There's nothing else to be said
9 other than this, that the two of you have never asked
10 anybody to do anything you wouldn't do yourself. And
11 to me, that is the mark of true leadership. You lead
12 by example. And to that extent, we are all very
13 appreciative of the time and energy and the commitment
14 you've made to this very noble cause.

15 You and Jim and Martha have said it many
16 times. This is about America and the importance of a
17 democracy to the people who live here. And if this is
18 worth a minute, it's worth a lifetime in leaving a
19 legacy for others to appreciate and benefit from
20 because we stand today on the shoulders of giants who
21 have gone before us and have made the sacrifice to be
22 sure that we preserve the institution of the rule of

1 law.

2 You do that eloquently, and you do that with
3 great deduction. And for that, we thank you.

4 CHAIRMAN LEVI: Thank you, Mr. Grey.
5 Laurie?

6 MS. MIKVA: I hate to follow Robert.

7 (Laughter.)

8 MS. MIKVA: But I didn't want to be the only
9 one here that didn't express how much I think you guys
10 are doing a wonderful job, how appreciative I am of all
11 that you do, and thank you.

12 MS. BROWNE: And I'm going to have to echo. I
13 don't have anything else to add but praise, and I'm
14 honored to be on this Board and have both you and
15 Martha and Jim as our leaders.

16 CHAIRMAN LEVI: Thank you, Sharon.

17 All in favor of the Vice Chair -- oh, I'm
18 sorry. Gloria?

19 PROFESSOR VALENCIA-WEBER: I join all the
20 praise for Martha and also for this trio of leaders
21 we've been fortunate to have together at this critical
22 historical time.

1 I also feel especially privileged, having met
2 Martha as someone important in my own legal education.

3 And I learned a lot at that point. I continue to
4 learn now. And I find it extraordinary to be, in this
5 setting, to be her colleague because that is not the
6 way I first met Martha and have regarded her all these
7 years. So it's a great privilege.

8 CHAIRMAN LEVI: All in favor?

9 (A chorus of ayes.)

10 CHAIRMAN LEVI: Opposed?

11 (No response.)

12 CHAIRMAN LEVI: Madam Vice Chair?

13 DEAN MINOW: Well, I'm embarrassed and
14 touched. I have to say it is an often over-used phrase
15 to say it's a privilege, but it is genuinely a
16 privilege to serve with each and every person who is on
17 this Board, from whom I learn so much. And your
18 dedication, your willingness to travel, your willingness
19 to take on all kinds of tasks, and the collective
20 wisdom of this group is really, really extraordinary.

21 The fact that we are putting out shoulders to
22 the cause of equal access for justice, I think, is what

1 invigorates all of us. And so I thank you all. a

2 CHAIRMAN LEVI: The Inspector General asked to
3 say a few things, so I want to give him that
4 opportunity.

5 MR. SCHANZ: I would like to jump ahead on
6 public comment and lead a round of applause for the
7 Board and the selections that were just made.

8 (Applause)

9 CHAIRMAN LEVI: Thank you.

10 Item No. 8. This is the moment in which you
11 all get reappointed to your committees.

12 (Laughter.)

13 MR. KORRELL: You may find less unanimity.

14 DEAN MINOW: I think -- may I move that we all
15 are reappointed to our committees, and we link arms in
16 so doing.

17 (Laughter.)

18 CHAIRMAN LEVI: And so we can have a motion to
19 consider and act on the delegation to the Chairman.

20 M O T I O N

21 DEAN MINOW: On the delegation to the Chair.

22 I so move.

1 MS. BROWNE: Second.

2 CHAIRMAN LEVI: All in favor?

3 (A chorus of ayes.)

4 CHAIRMAN LEVI: So now I'll give my chairman's
5 report and begin by saying I hope you will all continue
6 to serve on the committees and in the chair roles that
7 you're so ably serving in.

8 How fortunate for us, really, when you think
9 about this. We came in at the time that Vic talks
10 about, a new board without history. And I'm so proud
11 of the chairs, who have really dug in, really, to
12 understand their roles and how to run their committees
13 and really pick up the ball. And nothing has been too
14 much to ask of the committees.

15 And I think it is fair to say that almost
16 every single committee now meets by telephone between
17 our board meetings. I don't know whether that was the
18 history, but there's just too much on the agendas of
19 these committees to cover in our formal quarterly
20 meetings, and they've recognized that.

21 And rather than overwhelm ourselves and not
22 give ample time for thought, you've demonstrated the

1 leadership, and your committees have, to have the
2 meetings in between that allow you to do thoughtful
3 work and proceed in a manner that really helps the
4 Corporation. So I think that has been terrific.

5 Now we have to deal with the new D.C.
6 Corporation Act. And it is my intention for all of the
7 committees that had -- I guess we would call them
8 non-board members would were serving as advisory
9 members, they, too, will be reappointed.

10 We'll have to have the guidance of Victor
11 Fortuno and Jim as to what matters they may not vote
12 on. But I believe that as long as the committees are
13 not acting on behalf of the Board in a matter where the
14 Board has delegated to them something, then they may
15 continue in the manner in which they have been
16 operating.

17 So I should make clear that on the Audit
18 Committee, I am not, as a result of the fact that the
19 Fiscal Oversight Task Force has wrapped up -- well, is
20 about to as of this meeting -- its activity, I would
21 like to formally put on the Audit Committee, and I've
22 talked with Vic about this, David Hoffman and Paul

1 Snyder, who were both members of the task force.

2 And both, I think, bring real help and
3 guidance to that committee. I believe Vic agrees.

4 MR. MADDOX: I do, John. David Hoffman is
5 actually already on the committee and participated at
6 our last meeting.

7 CHAIRMAN LEVI: Yes. That's right. And as
8 for other committees, we may occasionally during the
9 year add a person. With the Institutional Advancement
10 Committee, with the Finance Committee, my intention is
11 those folks who are not on the Board, like Bob Henley,
12 is that they be reappointed as well.

13 Any questions?

14 (No response.)

15 CHAIRMAN LEVI: Well, anyway, thank you to all
16 of you for reelecting me this morning. Really, it is,
17 as I said, an honor to be your Chair. This is a very
18 compelling moment for the country. We all know that.
19 And you understand that, too. And that's why it's such
20 a privilege to be your chair.

21 This is one of a series of board meetings
22 we've all been fortunate to participate in and where

1 we've had just terrific panel presentations from around
2 the country, and where we've heard of the very
3 thoughtful work of our committees, and to learn of the
4 terrific examples of pro bono work done selflessly by
5 so many in the legal profession. Yes, there should be
6 many more. But the stories we heard the other night
7 here in San Diego, how compelling were they?

8 Well, 15 years ago, Judge David Tatel of the
9 United States Court of Appeals of the District of
10 Columbia, addressed the annual meeting of the
11 California State Bar that was meeting here in San
12 Diego. The year was 1997, and LSC had just come
13 through a very rough time. Funding had been cut.
14 Restrictions were put in place.

15 Judge Tatel had been on the D.C. Circuit for
16 about three years, and his remarks reflected his time
17 as general counsel at LSC, where he served in 1975 and
18 1976, helping to establish the newly created
19 corporation.

20 In his remarks, Judge Tatel said, "I believe
21 that powerful arguments of both public policy and
22 justice call for expanded congressional funding of the

1 Legal Services Corporation." He added, "As lawyers, we
2 all should be able to agree that access to the legal
3 system ought to not depend on the size of one's wallet.

4 It's a bedrock principle of our democracy that we all
5 enjoy the same bundle of rights. For those without
6 access to a lawyer, these rights all too often are
7 meaningless."

8 So here we are today. LSC funding has been
9 cut. Field programs are struggling to keep their heads
10 above water. I know the times are different today than
11 they were in '97. I think we all agree they are
12 particularly challenging. We owe it to our fellow
13 citizens to keep our vision, to attempt to see clearly
14 what's right for the country, for low-income Americans
15 who seek civil legal assistance.

16 This Board has been -- our Board
17 particularly -- a model of bipartisanship,
18 nonpartisanship. I hope it always will be. It always
19 should be. A force affirming that in our democracy,
20 all citizens, regardless of income, enjoy the same
21 bundle of rights, and that when at the doors have to be
22 shut at active, busy legal aid offices, and lawyers and

1 staff in our grantee programs across the country, in
2 the midst of increased demand, are sent to pack their
3 bags, it sends the signal that we are really not all
4 that serious about access to our nation's legal system
5 and the values that it embodies.

6 Given these difficult circumstances, I think
7 we need to convene an appropriate forum or, if you
8 prefer, a hearing, maybe as early as March, or possibly
9 as a part of our April board meeting, so that we can
10 better understand the impact of the significant
11 increase in the need of our programs for services at
12 just the same time that there has been such a
13 significant drop in LSC funding at our programs.

14 Jim's going to talk about the results of the
15 surveys that we sent out to our grantees. And I think
16 that you will see that that really informs this
17 discussion.

18 And we need to better inform the bar and the
19 country about the crisis in civil legal assistance. We
20 heard that yesterday from Dean Tacha. We need to hear
21 from the business committee, from faith-based
22 organizations, the states, the courts, the bar, and

1 others.

2 We need to bring them into our conversations,
3 expand beyond the legal profession, do a better job of
4 educating our fellow Americans on the importance of
5 plain and simple boring, reliable civil legal
6 assistance as a value, a value just as important as the
7 matters that are sometimes regarded as sexy. Let's
8 turn boring, plain, and simple into sexy. That will
9 help us ensure a just and fair society.

10 I want to thank all of you for your hard work
11 in 2011, for setting the stage for even more work in
12 2012. You all know you work far harder for this Board
13 than you ever expected when you accepted the
14 President's nomination, and I don't think that we have
15 any anticipation that next year will be any easier.

16 We said we were going to pay more attention to
17 internal controls, especially in the financial area,
18 and we have. The Fiscal Oversight Task Force presented
19 us with a report last summer. We've received comments
20 on the report and its recommendations. Our thanks,
21 again, to Robert and Vic for leading this herculean
22 effort. The report is on our agenda. We'll be

1 considering it this morning.

2 We launched the Pro Bono Task Force. It has
3 five terrific working groups. Our goal is to have
4 reports flowing this spring. And just the other day,
5 on Wednesday, Jim was with me in Chicago and we were on
6 the tech web committee meeting, and it was really
7 something.

8 And at the same time that we were meeting, the
9 obstacles group and the urban group were also meeting,
10 with two-hour conference calls going on. So this is a
11 very, very active group. They've taken the challenge.

12 And they will be coming forth with, I think, a whole
13 number, a huge number, of recommendations, and I look
14 forward. I want to thank Martha and Harry. They've
15 been working, I'm sure, overtime on this project.

16 Now our process for the strategic plan, as we
17 heard yesterday, is moving, I would say. Now it's
18 moving smoothly. We've done significant outreach,
19 including a stakeholder survey. Our
20 information-gathering phase is nearing an end.

21 The Board is ready to move to the next phase,
22 and that is the actual development of a plan. It's a

1 priority for the Board, and I hope it's something we
2 will get done this spring. Our thanks, Charles, for
3 keeping us on track.

4 And the Board has had a great interest, as it
5 should, in technology. One of the things I was told
6 when I assumed the chair role was that, actually,
7 LSC -- and I think you heard Jim mention this -- had
8 the first tech summit in the legal services arena.

9 That was back in the '90s. And there hasn't
10 been another one, and it seems like it's time for there
11 to be one. So we're planning to hold a major tech
12 summit for mid-June this year.

13 Jim attended the TIG conference just ten days
14 ago, and he'll be sharing his impressions, I believe,
15 with you. I hope he will -- is that part of your
16 report? -- because I think you'll find them very
17 compelling.

18 The tech summit will be the second, as I say,
19 in LSC history. And I think it was regarded as a
20 motivator of enormous innovation in the delivery of
21 legal services. And I look forward to the second
22 summit being just as successful.

1 The Board's Institutional Advancement
2 Committee, you heard this morning, is making progress.

3 The consultant has done sort of internal assessment
4 stage and now is moving to the external phase. We look
5 forward to his continuing work, and in my view, there
6 is no shortage of opportunity here.

7 Though I've said this at this meeting while
8 we've been here in San Diego, I do want to point out
9 that Jim is a few days closer to marking his first year
10 as LSC President. We are extremely grateful to him for
11 taking us up on our offer, and we look forward to many
12 more great things; now that he's set such a high bar
13 for himself, he's going to really have to outdo himself
14 in the second year. We're so delighted that he's
15 serving in this role.

16 I also want to officially welcome Richard
17 Sloane -- why don't you stand up there, Richard, for a
18 second -- who is Jim's special assistant. What have
19 you been with us, two months? Not even. A month and a
20 half? All right.

21 Richard has an MBA from Ohio State, a JD from
22 Georgetown. He served in the Peace Corps in Bulgaria.

1 A management consultant for IBM. Clerked for Chief
2 Judge Clemon on the U.S. District Court for the
3 Northern District of Alabama. Was in private practice,
4 most recently with Seyfarth in Washington. Welcome,
5 Richard.

6 As we move into the new year, I also want to
7 particularly thank Jeff Schanz for his work as
8 Inspector General, for his relationship with this
9 Board, for providing us, agreeing to, with a fraud
10 awareness briefing at our April meeting -- and I think
11 maybe, in fact, we'll do that for the entire building;
12 there's no reason why it needs to be a secret for
13 us -- so that we can get a chance to firsthand
14 experience the fraud awareness briefing that I guess
15 some of our board members have had the opportunity by
16 the chance that you were in their area.

17 But I think it's important for all of us to
18 understand this. And those folks in the building who
19 want to also hear that briefing, I think it's important
20 for everyone who works at LSC to have the opportunity
21 to see how you're doing this work, because I continue
22 to hear from grantees around the country that when you

1 do these, it raises their awareness, opens their eyes.

2 So you must be doing something good out there, and why
3 not make it available to everybody in the building.

4 So we appreciate that, and we appreciate what
5 I understand to be the close working relationship, or
6 the appropriate working relationship, that you have,
7 the ongoing meetings and contact that you have on a
8 regular basis, with the President, Jim Sandman.

9 I want to thank Victor Fortuno for continuing
10 to serve as general counsel and corporate secretary;
11 David Richardson as his labors as treasurer and
12 comptroller. I also have to thank Steve Barr, who puts
13 up with my continual edits, takes all my suggestions
14 with such good humor. How many drafts do we go
15 through?

16 (Laughter.)

17 MR. FORTUNO: Let the record reflect that --

18 DEAN MINOW: That he's smiling.

19 CHAIRMAN LEVI: That he's smiling.

20 (Laughter.)

21 CHAIRMAN LEVI: Well, in any event, he does it
22 with great good humor and puts up with it.

1 So this may be John Constance's last board
2 meeting, probably, as our director of Government
3 Relations and Public Affairs. As we all know, John is
4 moving, or he's attempting to move, to North Carolina
5 at the end of February.

6 Now, we all know where North Carolina is, and
7 it's no secret that the Board is going to be there in
8 the fall. So we will expect him to roll out
9 appropriate hospitality and a California barbecue.

10 As you all know, John came to LSC after a long
11 career with the National Archives. We certainly will
12 miss his advice about all things congressional. It's
13 hard to believe that our inside-the-Beltway expert is
14 moving out of D.C., but John assures me that he'll be
15 available to take my phone calls, and Jim's, whenever
16 we need -- or any of yours.

17 (Laughter.)

18 CHAIRMAN LEVI: And I need to remind John and
19 Jim that LSC comes to D.C. in April, and that if the
20 new Mr. Constance is not in place, then the old one may
21 not be able to go down to North Carolina quite as
22 quickly. I'm sure he's made the appropriate

1 arrangements.

2 But let's have an appropriate round of
3 applause for John.

4 (Applause)

5 MR. CONSTANCE: Mr. Chairman, you're going to
6 need to teach me about billable hours.

7 CHAIRMAN LEVI: Well, we will. We'll be happy
8 to.

9 I want to conclude the chairman's report by
10 thanking everyone who's provided us with support.
11 Special thanks to the woman who's walking around right
12 now, Kathleen Connors, who has to handle all of our
13 arrangements, and Katherine Ward. Why don't you stand,
14 Katherine. Putting these meetings together --

15 (Applause)

16 CHAIRMAN LEVI: Putting these meetings
17 together, I've learned, is extremely complicated. And
18 when Greg Knoll here said that it appeared to him that
19 we'd never been to San Diego -- now, interestingly,
20 your map, Vic, says that we were here in 1993; but down
21 here, they say there is no recollection. Now, he's
22 been the director for 38 years, so I don't know who

1 came in '93.

2 But I can tell you that the San Diego program
3 said they had no idea what it meant to have a visit of
4 the full Board. They now do, and we do. And I just
5 want to say, these two staff folks, Kathleen and
6 Katherine, work extremely hard to make all of these
7 arrangements. So let's have a round of applause for
8 them, too.

9 (Applause)

10 CHAIRMAN LEVI: And so this is the new year,
11 and our Board, I know, will give it its best shot. And
12 we'll get back to work now and try to move this agenda
13 forward as best we can.

14 So thank you very much, and it's my privilege
15 to turn the mike over to the members. And if any of
16 you have anything you wish to add, to say at this
17 juncture about anything that you've been doing between
18 the last meeting, or in the last year, or anything you
19 wish to say -- Julie, you do. Anyone else? Thank you.

20 MS. REISKIN: Thank you, Mr. Chairman. I
21 would also like to acknowledge Bernie Brady, who's just
22 fantastic and patient about travel arrangements. She's

1 wonderful.

2 Just two quick things. One is, I was
3 fortunate enough to be able to attend the NLADA
4 conference and learned a lot, but also was able to meet
5 with probably between 75 and 100 client board members
6 throughout the country. I'm happy to share what I
7 heard from them, but a lot of passion and interest and
8 desire to help and be part of the solution.

9 And I also during that time was able to
10 introduce Jim to a man named Henry Claypool, who's up
11 pretty high at HHS. What we heard yesterday about all
12 of the health care issues, there's some opportunity
13 there for legal services to -- for more marriage
14 between legal services and health care advocacy,
15 particularly with dual eligible projects.

16 There's a lot of money in -- not a lot of
17 money, but there's going to be a lot of pilot projects
18 and need for legal representation in that. So I have
19 made -- so anyway, Henry Claypool, who works right
20 under Kathleen Sebelius, was very receptive, and we
21 were making some introductions and getting that word
22 out. And I think it might be a new place for more

1 medical-legal partnerships.

2 CHAIRMAN LEVI: Laurie?

3 MS. MIKVA: Thank you, Mr. Chairman. I just
4 wanted to say I attended a little piece of the Illinois
5 Advocates Conference, I think it's -- all of the
6 advocates from all of the Illinois programs are brought
7 together. This is funded by IOLTA and Illinois Justice
8 grant money.

9 It's the kind of thing LSC used to do, isn't
10 able to do any more. It's a wonderful thing. It
11 underscores what the grantees are telling us, that
12 there's nothing like coming together and teaching each
13 other about what they're doing.

14 NLADA is just not an alternative. Only a
15 couple members from all of the programs go. Here, all
16 of the advocates from all of the programs were there.

17 CHAIRMAN LEVI: Sharon?

18 MS. BROWNE: I was asked to testify --

19 CHAIRMAN LEVI: Yes, and you did terrifically.

20 MS. BROWNE: Well, thank you. But it was a
21 great educational opportunity that -- it's a
22 collaboration with the courts, with the legal services,

1 with some of the public interest clearinghouses, to
2 gather as much information as possible, especially in
3 light of the economic crisis that California is facing
4 as well as the nation.

5 Our courts have been hit particularly hard,
6 and it was an opportunity to see how some of these huge
7 gaps can start being filled. And so it was a very
8 informative, very worthwhile endeavor. And I
9 appreciated the effort, and Steve Barr, in putting all
10 this information together for me.

11 CHAIRMAN LEVI: Gloria?

12 PROFESSOR VALENCIA-WEBER: The New Mexico
13 grantee in the fall completed its search and hiring of
14 a new director, Ed Marks, who was on our rural panel.
15 And in reaction to other state cuts on funding of legal
16 services, not only Ed but some of the other nonprofits,
17 pro bono organizations, are having a series of meetings
18 of how we're going to coalesce to respond to the dire
19 circumstances, given New Mexico's leading poverty rates
20 across every area.

21 The other thing is in the fall, I was the
22 United States reviewer for the University of Alberta

1 Law School. And while my job there was reviewing
2 curriculum in native studies programs, the faculty took
3 opportunity to pick my brains about what is LSC and
4 what do we do. And it was very interesting
5 conversation about what goes on in Canada. And that
6 was not the purpose of the visit, but you never know
7 what happens.

8 CHAIRMAN LEVI: Thank you.

9 Father Pius?

10 FATHER PIUS: I don't think I mentioned this
11 at the last meeting; I don't think I had a chance. But
12 before I left for Rome, I had the opportunity to work
13 with a non-grantee affiliate of Southeast Ohio Legal
14 Services to host what they called sort of a warrant
15 day, so those who had outstanding warrants for them, to
16 work through them.

17 And they were looking for a couple things:
18 one, a neutral place for people who had outstanding
19 warrants to work through them; so we provided space at
20 our church, at the church hall. We also used our
21 contacts with the sheriff's office in Muskingum County,
22 and in Muskingum County, it's not what you know, it's

1 who you know to help make the contacts to have the
2 cooperation in the sheriff's office.

3 I also used my contacts with the Downtown
4 Clergy Association to publicize the event, to make sure
5 the churches were seen as a good, non-threatening way
6 to help people who might have this to approach and get
7 help. And there were lawyers provided as well as the
8 courts and the sheriff's office to work through these
9 expeditiously.

10 I was gone on the day, unfortunately. I was
11 in Rome on the day the warrant day occurred, so I
12 didn't get to see how it went. But from what I hear,
13 it went very well. This was done on a special grant, a
14 person who's term has since expired, but a sort of
15 one-time grant to run these things. And she had done a
16 couple of them. So I was happy to take a part in this.

17 And the other thing that I mentioned is a good
18 friend of mine works for something called the Corporate
19 Executive Board. And they've done some fairly detailed
20 research into private fraud. Some of that I've shared
21 with him and with Jeff Schanz.

22 Some of it is proprietary, of course, but some

1 general information that I shared with them, and his
2 willingness to be available if anybody wants more
3 information about their research into how to create an
4 environment that minimizes fraud, at least in the
5 private workforce.

6 CHAIRMAN LEVI: Thank you.

7 I ought to just for a second acknowledge the
8 presence of Justice Earl Johnson here today. He's
9 really the dean of legal services. And I did give you
10 sort of a sense of his long record the other night, but
11 it's wonderful to have you here representing SCLAID,
12 and also to -- so please stand and we can --

13 (Applause)

14 CHAIRMAN LEVI: And also I want to acknowledge
15 that Don Saunders likes to attend our meetings. Works
16 very, very hard on behalf of NLADA, and is a tireless
17 supporter and a great help to us. And it's nice to see
18 you, and thank you for coming this morning.

19 And you've got sitting behind you our own
20 former, now your, Chuck Greenfield. And why don't the
21 two of you guys stand up and we'll acknowledge your
22 presence, too.

1 (Applause)

2 CHAIRMAN LEVI: Mr. President?

3 PRESIDENT SANDMAN: Thank you, John. As I
4 approach my first anniversary with LSC, I'd like to
5 thank the Board for your help and support in my first
6 year. This is a remarkable board, the best I've ever
7 see. It's a thrill and an honor to work with you all,
8 and I appreciate the opportunity very, very much.

9 I'd like to thank Richard Sloane for joining
10 me and helping me out in my work. Richard has been a
11 godsend to me, and he is off to a great start. He is
12 currently, among other things, acting as director of
13 Human Resources since Alice's retirement back at the
14 end of December. So he has a very full plate.

15 We are also, as you know, recruiting for a
16 Vice President for Grants Management. We posted that
17 position this week. I've circulated it to people in
18 the foundation world and the legal services world to a
19 number of individuals, asking for their help in
20 disseminating news about the position and in getting
21 their recommendations on where we should be posting it.
22 So I think we're off to a good start.

1 It is going to be a challenging position to
2 fill because of the combination of qualities that we're
3 looking for in a person. We're looking for a lawyer, I
4 think; because the position deals fundamentally with
5 overseeing the delivery of legal services and
6 compliance and enforcement issues, it is important that
7 that vice president have a legal background.

8 But we'd also like to find someone who has
9 grants management experience, fiscal experience,
10 general management experience. Those are a lot of
11 qualities that may be difficult to find in combination
12 in a single person. Because of that, it's very
13 important that we get the word out broadly, so I'd
14 appreciate your help in spreading the word.

15 I'd like to cover four items this morning:
16 first, I'll give you a brief overview of the results of
17 the survey of our grantees that we did in December and
18 to which we've recently gotten responses; second, to
19 describe the leadership role that LSC is currently
20 playing in technology; third, to describe a potential
21 communication and education initiative that we have
22 ongoing with a pro bono consultant based in Florida;

1 and finally, to describe our current work in improving
2 reporting metrics for grantees.

3 This graph shows the impact of funding cuts on
4 our grantees from the end of 2010 through what they
5 anticipate in 2012. And what it shows is that December
6 31, 2010 and what our grantees project for 2012, we
7 will have seen a loss of 629 lawyers across our 135
8 programs, 250 paralegals, and 394 other staff, a total
9 loss of 1,273 full-time employees in legal services
10 programs.

11 That's absolutely devastating. As you can see
12 in the next slide, the pace of layoffs has been
13 accelerating over the past three years. The blue bar
14 represents 2010. Layoffs in 2010 would not have been
15 attributable to any decline in any Legal Services
16 Corporation funding; in fact, our funding went up in
17 2010 as compared to 2009.

18 What that likely reflects is reductions in
19 other sources of funding, the perfect storm effect, the
20 fact that IOLTA funding is going down and that in many
21 states and localities, government support from other
22 sources is going down. But you can see particularly in

1 the attorney category the dramatic increase between
2 2010 and 2012.

3 CHAIRMAN LEVI: That's not cumulative? That's
4 in each year?

5 PRESIDENT SANDMAN: That is in each year.
6 These are not cumulative numbers. The numbers that I
7 gave at the outset describe the overall losses, but
8 overall losses attributable to any reason, not just
9 layoffs but resignations, retirements, unfilled
10 positions, attrition of various sorts.

11 A majority of programs, 65 percent, are
12 freezing salaries this year; 21 programs are reducing
13 salaries, these for employees who are already the
14 lowest paid in the legal profession. About half of our
15 programs, 47 percent, are reducing benefits this year.

16 Sixty-seven percent of the programs expect deficits in
17 2012. And we have received reports from 24 programs
18 that they expect to have to close offices in 2012.

19 We received comments on a number of the survey
20 responses. I do want to thank all of our grantees for
21 the effort they put into responding quickly to the
22 request that we put out in mid-December. They had a

1 lot to deal with with year-end activities and the
2 holidays, but we nevertheless, by last Friday, had
3 heard from 132 of our 135 grantees. But here's a
4 flavor of what's going on out there, as reflected in
5 some of the comments we received.

6 From Bay Area Legal Services in Tampa,
7 Florida: "The loss of eight attorneys in 2011 will
8 result in Bay Area serving about 2,400 fewer clients
9 this year. Because of the 2012 reduction, we will lose
10 more attorneys, resulting in even less service."

11 From Blue Ridge Legal Services in Virginia:
12 "By March 2012, we will have lost 26 percent of our
13 entire staff compared to the end of 2010, and we will
14 have lost 36 percent of the attorney staff we had at
15 the end of 2010. Our costs per case are increasing
16 dramatically, as we will have lost all benefits of
17 economies of scale. For example, we still have to
18 maintain our Harrisonburg office infrastructure at the
19 same costs as previously, yet we have only three
20 attorneys there rather than six."

21 East River Legal Services in South Dakota:
22 "As a result of these cuts, we are reducing intake to

1 one-half day per week. Our ability to cover the rural
2 counties of our coverage areas has been severely
3 affected by these cuts."

4 From Legal Aid of Western Michigan: "We will
5 be closing the office in Big Rapids as of April 1,
6 2012. That office had three attorneys and a secretary
7 serving four rural counties. The office had been open
8 for more than 30 years."

9 Legal Aid Service of Northeastern Minnesota:
10 "Two of our offices are already at their smallest
11 sustainable size. Since we serve a rural area, closing
12 either of those offices, a likely outcome would result
13 in clients having to drive about 90 miles further each
14 way to receive services. For many, that will be an
15 insurmountable barrier."

16 And from Pine Tree Legal Assistance in Maine:
17 "Ironically, Pine Tree will mark its 45th anniversary
18 as a legal aid provider in 2012 with a lower staffing
19 level than the program had in 1972 at its fifth
20 anniversary."

21 It's bleak out there. We will be monitoring
22 developments carefully. We asked for this information

1 on the schedule that we did so that we could have it to
2 support our advocacy on Capitol Hill. This is the kind
3 of information we need to be able to demonstrate what's
4 going on out there at a time when the poverty
5 population is at an all-time high.

6 I think having this kind of information in
7 real time is very important to our advocacy efforts,
8 and as I said, I'm very appreciate to the field for
9 helping us out and in getting this information as
10 quickly as they did.

11 I'd next like to turn to some good news, and
12 that has to do with the leadership role that LSC is
13 playing in technology. I attended my first TIG
14 conference in Albuquerque last week. The TIG
15 conference -- this was the 12th annual TIG conference.

16 The TIG conference is the only annual gathering of
17 people who deal with technology in legal services
18 delivery.

19 Attendance at the TIG conference is mandatory
20 for all programs that have received a TIG grant for the
21 current year, so all of our 2012 TIG grant recipients
22 were represented at the conference. And they are

1 required, those who have received grants, to attend two
2 sessions about managing their grant and reporting
3 requirements, and about evaluation requirements for the
4 project that we're going to be funding.

5 The attendees at the conference, though,
6 include many people beyond those who have received TIG
7 grants from list for the current year. They include
8 other legal services programs, court personnel,
9 representatives of pro bono programs, consultants,
10 vendors, and academics. This is the conference to go
11 to if you are associated with technology in legal
12 services delivery.

13 The programs included resource sharing for
14 best practices, technology for self-represented
15 litigants, rural service delivery. I was extremely
16 impressed with the quality of the programming and the
17 quality of the presenters. This is something really
18 good that LSC is doing. LSC is playing a role in the
19 technology field that no other organization is playing
20 in connecting technology to legal services.

21 We'll be building on the experience that LSC
22 has with, as John mentioned, a technology summit in

1 June of this year. The technology summit will be by
2 invitation only, and the invitations will be focused on
3 people who are experts in forms of technology that can
4 promote and facilitate the delivery of legal services
5 to poor people.

6 We will be asking some of the participants to
7 prepare white papers, as was done with the first
8 technology conference in 1998, with the expectation
9 that those white papers will be published after the
10 conference. The conference plan includes not merely
11 having the meeting in June, but developing a strategic
12 communications plan to disseminate the summit's
13 results.

14 Implementation of what the summit does is
15 going to be a critical part of what the summit
16 addresses. We don't just want a group of smart people
17 talking to each other; we want to be able to act on
18 what they do at the summit.

19 I do want to recognize the very important
20 contributions of our TIG staff, who not only put on the
21 TIG conference but are critical to the planning for the
22 technology summit this June. They include Glenn

1 Rawdon, who leads the effort, Jane Ribadeneyra, David
2 Bonebrake, Eric Mathison, and Bristow Hardin. These
3 people are doing terrific work, and I think it's very
4 important that we acknowledge that.

5 I next want to describe some initiatives we
6 have underway with communication and education. We've
7 talked a lot about that the last couple of days, the
8 importance of getting the word out about what legal
9 aid, legal services, is and why it's important.

10 We're working pro bono with a communications
11 consultant in Florida who has worked with individual
12 legal services programs in Florida and with a statewide
13 pro bono initiative in Florida called the One Campaign.

14 He has volunteered to work with us on three potential
15 projects.

16 The first would be a public service
17 announcement for general distribution, airing on
18 television, that could be individually branded by any
19 one of our grantees and used in their local market. So
20 it would be a generic ad, but something that they could
21 attach their logo and identifying information to at the
22 end.

1 The work that he does is of extremely high
2 quality. He's already got the public service
3 announcement that he proposes to make available to our
4 grantees in use in Florida, and has received very good
5 feedback on it. His material has very high production
6 values; when you look at it, your reaction is, a legal
7 services program couldn't possibly have produced that.
8 It's a compliment to the quality of his work.

9 He has offered to make the public service
10 announcement that he's done available to all LSC
11 grantees for minimal cost -- none of his costs, but
12 there are production costs involved -- and also to
13 consult with them individually on how to get the
14 announcement placed because with all public service
15 announcements, placement is critical.

16 If it's running at 2:00 in the morning on the
17 cable channel that's least watched, it isn't going to
18 do much good. So getting appropriate time placement on
19 the right channel is important. There's a way to do
20 that. He knows how to do it, and he's willing to work
21 one-on-one with our grantees to get that accomplished.

22 He's interested in working with LSC because we

1 offer the opportunity for one-stop shopping for him.
2 He can expand his reach and do something that he's
3 personally very committed to and reach 135 programs
4 through us, when if he had to do it one by one it would
5 be very time-consuming and difficult for him.

6 Second, he is willing to try to take the
7 materials and the communications plan that he prepared
8 in Florida for their pro bono initiative, the One
9 Campaign, and to try to replicate it in another state
10 to see if it can't be scaled and used in even more
11 states.

12 His communication plan includes a video,
13 posters, materials. By definition, it has to involve
14 local players. You can't take a generic pro bono
15 program on the road. One of the reasons the program in
16 Florida has been so successful is because it uses the
17 chief justice of the state supreme court, prominent
18 trial judges, prominent attorneys throughout the state,
19 who are known to people, who are folks of influence,
20 and who have been very helpful in marketing the
21 campaign.

22 Florida is a state that has mandatory pro bono

1 reporting, so they've been able to track what the
2 impact of the initiative appears to be. And in the
3 first year since this initiative was rolled out, their
4 pro bono hours increased by 14 percent; whereas in
5 prior years, they had never seen upward movement by any
6 more than 1 or 2 percent.

7 The consultant is skeptical that the true
8 results are actually quite that good, but as he points
9 out, even if they were only half that good, that's a
10 very significant increase.

11 So he's offered to see if the model that they
12 developed in Florida might not be reproduced in one
13 other state, for starters; and if it works there, to
14 see what we might be able to do to expand it elsewhere.

15 And finally, he's offered to work with us, if
16 we're interested, in developing a public service
17 announcement for LSC itself, to get the word out about
18 who we are. He has some ideas about how to do that.

19 All of these things would be part of a
20 longer-term enterprise; no one public service
21 announcement by itself is going to be enough to
22 accomplish the communication and the education

1 objectives that we've talked about. But in this
2 person, I think we've found a partner who can help us
3 get started.

4 CHAIRMAN LEVI: Is the One Campaign one case?
5 You always have one pro bono case?

6 PRESIDENT SANDMAN: My understanding is that
7 they've started out modestly. What the campaign -- he
8 did some market research before they initiated this
9 campaign, and he tried to identify obstacles to doing
10 pro bono work. And the number one obstacle he
11 identified was time. People don't think they have the
12 time to take on a pro bono case.

13 Now, in making that decision that they don't
14 have enough time, they're making assumptions about how
15 much time a pro bono case is really going to take. So
16 they started out modestly, asking every lawyer in the
17 state to take on one case.

18 I don't think they say "one case per year,"
19 they just say one case. But their theory is, once you
20 got them hooked, they'll be back for more. So they've
21 been -- and they have great buy-in from the judges in
22 the state.

1 Among the materials that he's issued are
2 posters that some very high percentage of the state
3 trial judges have posted on their chambers doors that
4 say something like, "Before you ask me about your case,
5 tell me about the one you've taken." And that sends a
6 message to lawyers.

7 Finally, I'd like to follow up on a brief
8 report I gave at the meeting of the Institutional
9 Advancement Committee on our work with the Public
10 Welfare Foundation on reporting metrics and outcome
11 measures for grantees. As I mentioned, we did receive
12 the planning grant of \$17,000. We convened our
13 planning group. We have the possibility of an
14 additional grant of between 2- and \$300,000.

15 The goals of new metrics are two, to me. One,
16 to provide better management and service delivery,
17 ultimately. If we have better information about our
18 programs, if they have better information about
19 themselves, they'll be able to make more informed
20 decisions about resource allocation and about whether
21 what they're doing is accomplishing anything; and if
22 it's not, to try to move resources to another area or

1 try new approaches.

2 Second, we need better data to make our case,
3 both to legislators, and our grantees often need better
4 information to make their case to fundraisers. Let me
5 give you an example of how good data can be effective
6 in legislative advocacy.

7 John Constance gave me some materials that had
8 been developed by a coalition called the Campaign for
9 Funding to End Domestic and Sexual Violence. This is a
10 group that advocates for Violence Against Women Act
11 funding.

12 We literally compete with the Violence Against
13 Women Act funding for appropriations because they, like
14 us, are under the jurisdiction of the House
15 Appropriations Subcommittee on Commerce, Justice, and
16 Science. When they go in to make their pitch, this is
17 the kind of information they have.

18 First, they demonstrate need. They have
19 statistics that shows that one in every four women will
20 experience domestic violence during her lifetime.
21 Fifteen and a half million children are exposed to
22 violence annually.

1 Rape is the most costly of all crimes, with
2 total estimated costs of \$127 billion a year. The cost
3 of intimate partner violence exceeds \$5.8 billion each
4 year, 4.1 of which is for direct medical and mental
5 health care services.

6 In 2010, a 24-hour survey of domestic violence
7 programs across the nation found that 70,648 victims
8 were served in one day. Unfortunately, due to a lack
9 of resources, there were 9,541 unmet requests for
10 services.

11 So they have statistics on the need. This is
12 their equivalent of the justice gap in some respects.
13 But then they also have information about progress, the
14 effect that VAWA funding has had over time in changing
15 some of these numbers.

16 VAWA saved \$14.8 billion in net averted social
17 costs in its first six years alone. More victims are
18 reporting domestic violence to the police. There has
19 been up to a 51 percent increase in reporting by women,
20 and a 37 percent increase in reporting by men. The
21 rate of nonfatal intimate partner violence against
22 women has decreased by 53 percent. The number of

1 individuals killed by an intimate partner has decreased
2 by 34 percent for women and 57 percent for men.

3 These are statistics of a type that we don't
4 have when we go in to advocate. And I think it tells
5 us something about what we should be aiming for and
6 what we might be able to accomplish if we had better
7 data reported from our grantees.

8 So mentioned earlier, the planning group that
9 we convened on January 6th did express some concerns
10 for how we go about this. They emphasized the
11 importance for collaborating with other funders who are
12 already doing outcome measurements reporting or
13 requiring other forms of data reporting from grantees.

14 And it's very important that we be sensitive to the
15 variety of service environments and other variables
16 affecting our different grantees.

17 And we'll take that all into careful
18 consideration as we proceed with our work. The next
19 step will be to apply for the larger grant.

20 That completes my report. I'd be happy to
21 answer any questions.

22 CHAIRMAN LEVI: Gloria?

1 PROFESSOR VALENCIA-WEBER: Thank you, Jim, for
2 that report.

3 I'd like to get to your communication
4 consultant report and the desire of that consultant to
5 try to do a marketing-type plan for another grantee to
6 see how it can be used in another state.

7 The discussions we're having with our New
8 Mexico grantee right now involve much of what you
9 addressed, and that includes right now we're looking
10 at -- I and some other people -- for somebody to
11 revamp, redesign, the web page, make it ore
12 interactive, a whole set of things.

13 And I'm looking right -- well, we're looking
14 or some people, both more interactive web page
15 designers and photographers to put New Mexico people in
16 there. And how do we go about making known that we're
17 interested in being one of the -- the new place, the
18 new state, to try this?

19 PRESIDENT SANDMAN: We'd be happy to talk to
20 him. But he's probably going to want to do an
21 assessment of what environment might be most receptive
22 to the type of initiative that they've already

1 undertaken in Florida. So he has a template that he's
2 going to try to reproduce. He doesn't want to start
3 from scratch.

4 And what he's done in Florida is not to work
5 with individual legal services providers, but to work
6 statewide with everyone who is engaged in pro bono
7 initiatives. So that includes the bar association; the
8 bar foundation; all legal services providers, not just
9 LSC-funded ones; the judiciary, the courts.

10 PROFESSOR VALENCIA-WEBER: Right.

11 PRESIDENT SANDMAN: So this is an
12 all-encompassing approach. But we'd be happy to talk
13 to him about it.

14 PROFESSOR VALENCIA-WEBER: Okay. Should Ed
15 contact you or who?

16 PRESIDENT SANDMAN: Yes. Just have Ed call
17 me. Absolutely.

18 DEAN MINOW: On that point, I wonder if he
19 might be encouraged to select a state that just
20 coincidentally is related to some of our committee
21 chair members on the Hill. That's just a comment.

22 Separately from that, I wondered, Jim,

1 thinking ahead to our Pro Bono Task Force interim
2 report, if there are ways that we can connect the
3 technology best practices group with the TIG summit
4 that's coming up.

5 PRESIDENT SANDMAN: Yes. Glenn Rawdon
6 participates in that group, and I'll talk to him
7 specifically about how the tech summit might work with
8 the task force. Pro bono is definitely a component of
9 what the summit will focus on.

10 CHAIRMAN LEVI: Julie?

11 MS. REISKIN: Yes. A comment and a question.
12 The comment is, the first thing that you talked about,
13 as you know, Jim, part of my discussion with the
14 clients was about -- even though we don't direct it,
15 but was about if cuts have to be made, where should
16 they be made, again not that we directed, but to help
17 the client community start thinking about that because
18 they need to have a say in it.

19 One of the things that surprised me was the
20 very, very strong objection of mostly the rural clients
21 to closing offices. And I know that it can't be
22 helped, but what they said is that -- what they

1 explained to me, and this was mostly from the rural
2 people, is it's cultural. It's almost like not having
3 language access. It's the same thing, to not be able
4 to have face-to-face.

5 And I'm not criticizing the program to have
6 had to do it. But it's very much a cultural issue, so
7 the fact that all these offices have had to close is
8 very disturbing. And again, I'm not in any way, shape,
9 or form trying to blame the programs because they
10 didn't have a choice, I'm sure. But I just wanted to
11 mention that that was a very, very strong feeling on
12 the part of the rural client reps.

13 I did have a question or concern about the TIG
14 program, and I'm not sure if this is the right time.
15 But as part of my day job, I just finished being part
16 of the TIG committee in the Colorado project because
17 they did a disability project that was really
18 wonderful.

19 So I was talking to the director about it:
20 "So what's your next TIG project going to be?" And he
21 said, "We're not doing TIG any more." And I said,
22 "Why?" And he said, "Because of some of the changes

1 that have had to be made; it just cost too much
2 administratively because of subcontracts and all that."

3 And I'm wondering, is this unique or are you
4 hearing that from other people?

5 PRESIDENT SANDMAN: We have heard that from
6 other programs, that they now weigh the costs of
7 compliance and what they have to do in connection with
8 a grant in deciding whether or not to apply. I don't
9 know that that's causing other programs not to apply at
10 all. But the size of the grant application that they
11 make, it's got to be a bigger grant than it used to be,
12 I think, for many programs to apply.

13 I do want to mention one other piece of good
14 news about the TIG conference this year that I forgot,
15 by the way. As you may remember, back last April at my
16 first board meeting, I reported on TIG applications or
17 the letters of interest that we had received at that
18 time.

19 I was concerned about the number of grantees
20 that have never had a TIG. And the conference seemed
21 to be focused on those who already get it, the people
22 who are looking to move their good technology to better

1 or best technology. And I was wondering about, what
2 about the ones that have bad technology? What are we
3 doing to get them to good?

4 If you get a TIG grant, you're not only
5 required to attend the conference, but we fund your
6 attendance at the TIG conference off the top of the
7 grant. So a lot of the people who've never gotten a
8 TIG, they don't want to incur the expense of having to
9 go to the conference.

10 So this year, for the first time, we offered
11 TIG scholarships. And they were by application in a
12 competitive process. We offered 10 scholarships to
13 cover the cost of the conference registration fee and
14 travel experiences up to, I believe, \$1500.

15 We got 15 applicants for 10 spots. And I met
16 with the 10 scholarship recipients when I was in
17 Albuquerque, and they were delighted to be there.
18 These were people who were soaking it up.

19 One of the most important benefits to them was
20 not just the substance of the programs, but their
21 ability to get introduced to and taken into this
22 community of people who talk to each other regularly

1 throughout the year. And they were very jazzed about
2 it. So I was glad to see that.

3 But yes, I have heard about that problem, that
4 the people are concerned about the reporting and
5 administrative requirements of a TIG grant.

6 CHAIRMAN LEVI: Well, maybe there's a little
7 bit of a fundraising that can be done there, too, for
8 the Institutional Advancement folks.

9 Other? Laurie?

10 MS. MIKVA: Mr. President, I'm interested in
11 this soliciting white papers and publishing them. I'm
12 wondering exactly what goes into that and whether
13 that's a model we might try and use also with
14 presenters at our meetings as a way to get the
15 information that we're getting out there.

16 PRESIDENT SANDMAN: I'm not sure it would work
17 in that context. There's a prestige associated with
18 being invited to prepare a white paper and then knowing
19 that we're going to help you get it published. In
20 fact, we might want to get them all published in one
21 place; we might spread them out.

22 Because of the prominence of the summit

1 itself, I think there will be an incentive for people
2 to prepare these white papers. We're not paying for
3 the white papers. We're not going to compensate people
4 for doing them. So they have to see something in it
5 for them to devote the time to preparing it.

6 I'm not sure that the same dynamics would be
7 at play if we were talking about people that we invite
8 to present at individual board meetings. But it might
9 vary depending on the subject, and I think it's
10 something we should consider.

11 CHAIRMAN LEVI: Martha?

12 DEAN MINOW: Your presentation of the data
13 from the survey was so compelling, and I wonder if we
14 can get copies of that.

15 PRESIDENT SANDMAN: Yes. Absolutely. I'll
16 get you not only the PowerPoint presentation but the
17 other information that I presented.

18 CHAIRMAN LEVI: And a number of you asked for
19 copies of Deanell Tacha's talk, and I'm told she's
20 going to give it to us early in the week and we'll get
21 it posted on the web.

22 But that does bring up a point, which is, we

1 probably should be figuring out -- and I take some of
2 the blame for this -- to actually start to use some
3 videography. Some of the panel presentations, I know
4 if we posted on the web and then other grantees could
5 actually tune in and see what was happening here in
6 California, for example, maybe that would help them get
7 some ideas.

8 The California programs, they were just
9 spectacular. And, as we heard, people have such
10 limited opportunity to get together, I wonder if we
11 might think about doing that. I don't know the
12 expense, but I would hope it was not too overwhelming.

13 MR. KORRELL: John, let me ask a question for
14 you and maybe for Jim, too, on that topic. And that
15 is, what do we do to publicize, apart from the Federal
16 Register notice? What do we do publicize the subjects
17 that are going to be talked on at these things?

18 Because I got to tell you, I am someone who
19 thinks that posting something on a web portal is the
20 equivalent of throwing it in a dark closet and locking
21 the door. I can't tell you how many times in my office
22 I say, "Where's the policy on X?", and somebody says,

1 "It's on the web portal." And my response is, "Would
2 you get it for me?" Because it is a pain in the neck
3 to go navigate.

4 These people are really busy, and I think if
5 you post Dean Tacha's remarks and whatever on the web
6 portal, that the only person who's ever going to read
7 it there is the person who posted it. And I wonder if
8 we could do more to -- and you mentioned the -- the
9 reason I'm bringing this comment up now instead of
10 other business is you mentioned videoconferencing
11 capability.

12 I wonder, if we had a video link to these
13 presentations and we told the field in advance, and not
14 three days in advance but three weeks in advance, of
15 what the basic topics are going to be covered by these
16 panels, and beat the bushes about how great it's going
17 to be to hear about the earned income tax credit work
18 being done by so-and-so, that they actually may watch
19 these things and get some value out of it, and reach
20 out and contact people.

21 We would be performing one of the functions
22 that I think we're uniquely positioned to perform by

1 making that stuff available. But I just don't think
2 that posting in on a web portal really does anything.

3 CHAIRMAN LEVI: Well, I sort of agree with
4 you. I think it would be in connection with an article
5 about the -- it would be on a webpage that would
6 highlight it, and then there'd be a link to it.

7 But I agree with you that people have to know
8 to even go to the web page to look at it. But have you
9 guys looked at the new website? That wasn't part of
10 Jim's report, but is that going to be -- anybody going
11 to talk about that today? I guess not, but it's
12 really --

13 PRESIDENT SANDMAN: We have a new website.

14 (Laughter.)

15 CHAIRMAN LEVI: And it's really an
16 improvement.

17 MR. KORRELL: Jim, could you bring me a copy
18 of it?

19 (Laughter.)

20 CHAIRMAN LEVI: So go on there.

21 Yes, Gloria?

22 PROFESSOR VALENCIA-WEBER: Adding to Harry's

1 comment, not only putting it in some forms that are
2 easier for people interested already in legal services,
3 but I mentioned this last night to somebody and they
4 said, "Are you going to put it on YouTube? Are you
5 going to put it on something where people can find it?"

6 If you go on any of the popular websites, you
7 can find an amazing number of things that people are
8 interested in. I mean, Steve Jobs' graduation address
9 is constantly played, but also people with less
10 reputation than Steve Jobs. They are hits. People go
11 on there.

12 And her talk would easily have been in there.
13 Same drawing capacity. We need to think that way.

14 CHAIRMAN LEVI: I agree.

15 MS. REISKIN: I also think that would
16 be -- oh, sorry. I also think that would be a way to
17 make it more accessible to our client members, who
18 certainly don't have the money to travel, but some of
19 whom do have smart phones or internet who could watch
20 and be part of this.

21 And I think that's really important, that they
22 stay engaged, not just client board members, but

1 clients of legal services, who can be our torchbearers
2 and carry the message. They know more than anyone how
3 important this is.

4 PRESIDENT SANDMAN: And that does remind of
5 the results of a TIG grant a couple of years ago. LSC
6 funded a project to create a manual for legal services
7 programs on how to ensure that their website would show
8 up in response to the right search terms when poor
9 people are looking for help.

10 What they had found was that despite the best
11 information posted on the website, the website wasn't
12 popping up when people in a particular service area
13 when looking for help. There are ways to manipulate
14 your website to make sure that it shows up high in
15 search results, and a program in New York put out a
16 handbook that's very pragmatic, very specific, that
17 tells you what to do to make sure that your program is
18 going to be findable.

19 And I think the same kind of approach in
20 technology would be helpful in directing people to the
21 kinds of things that Gloria is talking about, wherever
22 they're posted, whether they're on YouTube or whether

1 they're on a program website.

2 I do want to mention also that on Tuesday, LSC
3 will be doing a webinar for all our grantees on the
4 census. This will be Bristow Hardin presenting, and
5 the goal is to help programs use readily available
6 census data to project, to see what's going on to the
7 poverty population in their service areas so that they
8 can do a better job of predicting themselves exactly
9 what the impact of the census adjustment on
10 appropriation distribution might be in the future. And
11 I'll let you know how that goes.

12 CHAIRMAN LEVI: Martha?

13 DEAN MINOW: I notice the appointment of a
14 communications manager at LSC. And I don't know
15 whether it's appropriate to turn to that
16 person -- Elizabeth Arledge is her name -- for some
17 advice as the Board thinks about the strategic plan
18 with regard to public relations or otherwise.

19 I think we'd all be interested, though, to
20 know what if anything is a strategy with regard to
21 social media, whereas Gloria said the posting to
22 YouTube and other kinds of -- what's it called, pull as

1 opposed to push technology.

2 CHAIRMAN LEVI: As we look ahead, in April you
3 may know the meeting is a Monday/Tuesday. And I think
4 you should hold the entire Tuesday, and it may, because
5 of the number of things that are possibly coming
6 together -- strategic plan, Pro Bono Task Force, fraud
7 awareness, our normal committee work -- it may go over
8 onto Wednesday.

9 So just that's a possibility, and maybe more
10 efficient than trying to bring people back and forth.

11 MR. MADDOX: What are the dates of that, John?

12 CHAIRMAN LEVI: I think the published date is
13 the 16th, Monday the 16th of April.

14 DEAN MINOW: You're telling us you want us to
15 be there for the 17th as well?

16 CHAIRMAN LEVI: Well, there's no question that
17 we're going to be there the 17th. It was published as
18 the 16th/17th. I'm saying we may even fall over -- the
19 18th and 19th, incidentally, are the ABA Days in
20 Washington.

21 And there might be some reason in the evening
22 of the 17th or the morning of the 18th, depending on

1 who from the Pro Bono Task Force comes into town and
2 when we pull all of that together.

3 DEAN MINOW: And I can't.

4 CHAIRMAN LEVI: You don't have to. We'll see
5 what we have to do. I know you have your reunions; you
6 might have to have them in Washington.

7 (Laughter.)

8 CHAIRMAN LEVI: Okay. Mr. Inspector General.

9 MR. SCHANZ: Thank you, Mr. Chairman. This is
10 the IG's report in open session. I do have one also in
11 closed session. I want to go through this as quickly
12 as I can.

13 Throughout your tenure here as the Board, you
14 have heard a lot about GAO reports. Well, I'm here to
15 tell you that GAO also reviews the IG's. As required
16 by the Frank-Dodd Act, GAO did a report of the IG
17 community, 67 of us and counting.

18 And the GAO report, if you want to see what
19 they said about the collective community of IGs -- I
20 know you're really chomping at the bit to do
21 that -- it's called, "The IG's Reporting On" -- I need
22 glasses, I'm sorry -- "On Independence, Effectiveness,

1 and Expertise." And it's required by the Dodd-Frank
2 Act. It's GAO Report 11770. It was issued September
3 21, 2011.

4 I am pleased to report that we were not
5 singled out. LSC IG was not singled out. It talks a
6 lot about our independence, which we passed. It talks
7 a lot about our effectiveness, which we passed. It
8 talks a lot about our expertise.

9 The Dodd-Frank Act required IGs to have a
10 legal degree, and I do. It required IGs to have an
11 accounting background, which I do. And it required IGs
12 to have any skill sets necessary.

13 What was interesting about this was that the
14 old ECIE, the designated federal equivalent IGs, of
15 which I was one -- I'm not Presidentially
16 appointed -- had more diverse skill sets than the
17 Presidentially appointed IGs. So you have a bargain
18 basement guy here.

19 So anyway, we do have the report. It's out
20 there if you're interested in looking at it.

21 MS. REISKIN: Can I --

22 MR. SCHANZ: Yes?

1 MS. REISKIN: Can you give like a two-sentence
2 overview of the overall effectiveness of IGs?

3 MR. SCHANZ: Very much so. I'm hesitant to
4 report it, but GAO and the CIGIE have reported that for
5 every dollar invested in IG work, there's an \$18
6 return. So that's an incredible ROI. And that's what
7 the CIGIE annual report talks about, and that is on
8 CIGIE, Council of Inspectors General for Integrity and
9 Efficiency. And the GAO reported that also.

10 The independence, other than a few things that
11 hit the press every now and then, IGs are independent
12 in appearance and in fact.

13 When we go through Audit Committee business
14 here, Mr. Maddox, I serve on the Audit Committee for
15 the CIGIE. So I am very familiar with some of the
16 policies and procedures that are coming down the pike,
17 including the new Yellow Book, which will
18 somewhat -- and Dutch can talk to that at a later date;
19 I don't think we have the time to do that -- but there
20 is going to be some additional standards coming out
21 with the GAO Yellow Book.

22 And it's interesting. When I started in

1 government in 1974, the Yellow Book was a pamphlet. It
2 is now a to me. And it has some of the same
3 requirements; it's just a lot more explanation.

4 I do want to take the opportunity -- as part
5 of my performance evaluation, you graded me against my
6 2011 work plan. With me here is Dave Maddox, who can
7 talk about what we did in 2011.

8 And we have developed -- as part of our
9 strategic planning process also within the IG, we have
10 developed our 2012 work plan. I wanted to introduce it
11 to the Board first, and then we'll be posting it on our
12 website.

13 MR. DAVE MADDOX: Thank you, Jeff.

14 Mr. Chairman, I'm going to give a very
15 one-minute overview of the work plan in the interests
16 of time. I think it's fairly self-explanatory. I
17 would just like to make a few highlights on page No. 3.

18 For 2011, fiscal year 2011, the IG's Office
19 made 67 recommendations for improvement to LSC
20 management and grantees; identified almost \$1.2 million
21 in questioned cost; also provided almost \$2.3 million
22 in court-ordered investigative recoveries.

1 Flipping to the next slide, in terms of our
2 planning process, we have a number of routine tasks we
3 do as well as new initiatives under the broad mission
4 of the OIG. It is important for us to remain flexible
5 at all times to address new stakeholder requests,
6 whether those be congressional, board, or management,
7 as well as GAO actions or additional information coming
8 in on the OIG hotline.

9 We continuously perform risk assessments of
10 LSC and grantee operations. At the same time, we have
11 to be mindful of overall government-wide management
12 challenges, as identified by the Council of IGs.

13 So the next slide, on slide 5, considerations
14 going into this year. The 2012 appropriation
15 conference language -- it encourages the Inspector
16 General "to ensure that funds are not being used in
17 contravention of the restrictions on engaging in
18 political activities or any other restrictions." Of
19 course, this is a shared responsibility with LSC and
20 the grantees as well.

21 Another item is, of course, the Fiscal
22 Oversight Task Force report, which encourages

1 additional coordination among the IG, management, and
2 the Board; encourages us to play an advisor/assessor's
3 role in LSC's grant management improvement initiatives;
4 and also to expand audit knowledge throughout the
5 stakeholders.

6 We have a number of functions we provide, on
7 to page 6. Just to highlight a few in a very quick
8 manner for you, we're going to be doing our own
9 five-year strategic planning this year. We will be
10 taking in considerations of what LSC's overall
11 strategic plans, goals, and initiatives are to the
12 degree we can within the IG's mission.

13 In terms of audit functions, page 7, of course
14 we perform audits of LSC grantees and LSC operations,
15 whether they be financial, compliance, or
16 performance-related. Currently we're doing grantee
17 internal control audits, TIG grantee audits, and in the
18 future we're going to be doing an LSC security review
19 that is based upon our risk assessments.

20 We continuously monitor open recommendations
21 for resolution. We'll also be conducting the peer
22 review of the Securities & Exchange Commission's Office

1 of the Inspector General.

2 On to slide 8, we oversee the annual --

3 MR. SCHANZ: Which will be interesting, doing
4 SEC, because the IG recently resigned.

5 MR. DAVE MADDOX: On to slide 8. We oversee
6 the annual grantee audit process, which includes
7 issuing guidance; reviewing all the IPA reports, 136;
8 referring significant findings to LSC management and
9 tracking correction; and this year we expanded our
10 quality control reviews of the IPA's work. It's
11 currently a four-year cycle, and we do 35 per year.

12 In terms of investigative functions, we
13 investigate instances of fraud, waste, abuse, and
14 mismanagement and report those to appropriate
15 authorities. We also have a number of fraud preventive
16 measures.

17 Compliance: We have routinely done compliance
18 investigations, and we're starting a new pilot of
19 regulatory vulnerability assessments based upon the
20 congressional concerns, as highlighted in the committee
21 language.

22 Legal functions: We have our own general

1 counsel; we comment on legislation, regulations, an
2 policies, as most recently the lesser sanctions
3 discussions; we enforce subpoenas; and we have our own
4 FOIA operations.

5 On to slide 11, we have our own OIG
6 administration where we do our own planning, budgeting,
7 our own office operations and information systems. In
8 addition, as resources allow, we would like to work on
9 identifying grant-making and grantee best practices and
10 lessons learned, and supplying those to all.

11 I'll open it up for comments or feedback.

12 MR. MADDOX: I just wonder, is the language
13 you pointed to in the conference report, is that
14 somehow new? Or does that language appear routinely?

15 MR. DAVE MADDOX: It's new for 2012.

16 MR. MADDOX: But has similar language been
17 included in previous conference reports or
18 appropriations? I mean, it seems to me that's exactly
19 what you guys have been charged with doing since you
20 were created.

21 CHAIRMAN LEVI: I think it was in response to
22 that political cartoon.

1 MS. TARANTOWICZ: Yes. I think it was -- for
2 the record, Laurie Tarantowicz, OIG counsel. That
3 specific language is new. It came out of
4 the -- originated in the House committee report, and it
5 ended up in the conference report.

6 It is, as you noted, something that we're
7 charged to do by statute. But I think it's drawing
8 specific attention to that by the conference committee.

9 And I think that the Chairman is correct that it may
10 have originated with the work that we did in response
11 to Chairman Wolf's request to look into some political
12 action by a grantee.

13 MR. MADDOX: Thank you.

14 CHAIRMAN LEVI: Sharon?

15 MS. BROWNE: On your management and evaluation
16 functions, you have the bullet point of evaluating
17 grant-making and grantee best practices and lessons
18 learned. It seems to me that that seems to be
19 overlapping with a lot of the best practices that some
20 of LSC's task forces are doing as well.

21 So is there a collaboration or a partnership
22 that you have with the task forces so that there's not

1 a duplication of efforts?

2 MR. DAVE MADDOX: We have a history of doing
3 these things, going back to the mid-'90s. They're very
4 sporadic. Currently, we only have one evaluation staff
5 member in-house, and actually, he's been used in a lot
6 of cases to support audit functions.

7 So this is kind of a new aspirational area
8 we'd like to go into because, as we've all identified,
9 it's an area that needs to be address.

10 MR. SCHANZ: Some of that will be addressed,
11 Sharon, when we do the fraud vulnerability briefing for
12 the Board and for the building in April at the request
13 of the Chairman. Within our office, we have our own
14 best practices.

15 Part of our internal initiative is to develop
16 databases of findings. So if we have a program in
17 North Carolina that's using money for lobbying, as a
18 for instance, I want to be able to link that to all the
19 audit reviews or investigations that we've done to
20 identify, yes, this is an endemic problem, or this is a
21 one-time issues. The endemic problems we plan to share
22 with management.

1 MS. BROWNE: And so we will be able to
2 integrate that into best practices to share with other
3 grantees so that it becomes something that is available
4 for other grantees to put into their programs and
5 practices?

6 MR. SCHANZ: Well, we pretty much, as an IG,
7 do things on an exception basis, not a management-type
8 basis. We leave that to management. We identify
9 issues that are problematic, and that's where our fraud
10 alerts come out.

11 MS. BROWNE: But this is best practices. So
12 you're looking at only fraud issues? Best practices to
13 develop a program to prevent fraud?

14 MR. SCHANZ: That's one of our functions, yes.

15 MR. DAVE MADDOX: If I may, it's kind of
16 within the OIG mission. Recently, an item has come up
17 in terms of best practices for protecting confidential
18 information and what's being done.

19 It's an area where there's not been a whole
20 lot of oversight. We haven't really looked at this
21 area. But some reports have come to us recently that
22 have said, this should maybe be a targeted area we

1 should take a look at. And that's something we would
2 share through management and integrate it in any shape,
3 manner, or form that the President sees best to do.

4 CHAIRMAN LEVI: Thank you.

5 Are there any other comments or questions for
6 the IG on this?

7 (No response.)

8 CHAIRMAN LEVI: If there aren't, I want to
9 thank you, and thank you for your work and your
10 cooperation. I do think we are hearing from the field
11 that more is better, and that they might want to
12 have -- to the extent you become aware of things you
13 think they might need to know, based on what you're
14 seeing, that a webinar may be occasionally a good
15 thing. We'll have to see. Jim can work that out.

16 But I don't know any pressing issue here, but
17 it seems if you look at the surveys sometimes, they
18 don't want to be got. They want to know what they can
19 do to avoid being got. And I think that's what Sharon
20 is talking about.

21 MR. SCHANZ: Well, that's why we post
22 everything, pretty much, on our website.

1 CHAIRMAN LEVI: And that's what Harry is
2 saying, too.

3 MR. SCHANZ: Yes. That's transparency, as far
4 as I'm concerned, and it's one of my hallmarks.

5 CHAIRMAN LEVI: Yes. But if we really wanted
6 to call it to their attention and put them on notice,
7 it may be that a webinar and taking 15 minutes, even,
8 would be worth it. I don't know. We'll leave it to you
9 guys to figure out.

10 MR. SCHANZ: Okay. Thank you.

11 CHAIRMAN LEVI: Thank you very much.
12 Appreciate it.

13 I now have to make a little change in our
14 schedule here because -- not because he said so many
15 nice things about me, but because he has a flight,
16 Victor Maddox does, that I want to do the Audit
17 Committee and the Fiscal Oversight Committee, those
18 agenda items next in order, so that he can be here in
19 person for them.

20 So if that's okay with everybody? Mr. Maddox,
21 will you do the Audit? Is there a report from the
22 Audit Committee?

1 MR. MADDOX: I'll make a brief report, Mr.
2 Chairman. Thank you.

3 The Audit Committee met yesterday -- excuse
4 me, on Thursday -- and we received the presentation by
5 the Inspector General's office and the outside auditor,
6 Nancy Davis of WithumSmith+Brown, concerning the FY
7 2011 annual audit.

8 I think many of the board members were present
9 for the presentation. There was discussion of one
10 deficiency found in internal controls relating to the
11 reporting of the LRAP receivable.

12 The auditors determined after, I think,
13 extensive consultation with Jim and his staff that that
14 matter would be handled by reducing the amount of that
15 receivable to reflect the actual receivable. And so it
16 was reduced rather dramatically, from about a million
17 dollars to about \$7500.

18 I think everyone's in agreement that that was
19 the appropriate treatment. And other than that, I
20 understand that the audit was clean report and that
21 there are no other issues.

22 There was some discussion about changing -- at

1 least modestly accelerating the timeline for the
2 completion of next year's audit, and I understand that
3 management will be working with the auditors to make
4 sure that their concerns in that regard are satisfied.

5 We received a report from the director of the
6 Office of Program Performance, Janet LaBella, regarding
7 the program quality evaluation process. It was a very
8 helpful presentation. And we had a few followup
9 questions, but I think the committee was generally well
10 satisfied with the performance of that operation.

11 We received a brief report from the LSC
12 comptroller regarding the 403(b) plan performance. We
13 considered issues relating to the committee charter.
14 We are going to receive further comments from David
15 Hoffman, who was not present, Paul Snyder, who's
16 recently joined the committee and will be acting in the
17 coming months to improve the committee's charter, I
18 believe, and probably have that resolved in advance of
19 the next meeting.

20 We deferred discussion of the committee's
21 self-evaluation process in the interests of time. And
22 there was no other business to come before the

1 committee, so we adjourned.

2 CHAIRMAN LEVI: There's nothing for us to act
3 on?

4 MR. MADDOX: There is nothing for the Board to
5 act on.

6 CHAIRMAN LEVI: Thank you.

7 Now we're on item No. 20. And let me just
8 read a little statement for the record here and talk
9 about the Fiscal Oversight Task Force.

10 The Fiscal Oversight Task Force report was
11 presented to the Board in late July last year, and the
12 board opened the report to comments in the Federal
13 Register notice on August 30th of 2011.

14 The Board published the report in the Federal
15 Register last August, sought public comment on the
16 report and the task force's recommendations. Comments
17 were submitted by the ABA, the NLADA, LSC union,
18 current LSC staff members by a former LSC staff member.

19 The comments, summaries of them, and a summary of the
20 reaction of task force members were posted on the LSC
21 website.

22 We held a public hearing on December 12 to

1 take testimony. We very much appreciate the thoughtful
2 input we have received. As you know, Robert and Vic
3 served as co-chairs of the task force. Father Pius and
4 I participated in the task force as members.

5 Our agenda includes a resolution in
6 appreciation of the expertise of the task force members
7 and their volunteer spirit, and the time they so
8 willingly gave to this initiative. I want to take a
9 moment to read their names into the record to again
10 recognize the collective experienced, professional
11 perspectives they brought to this report.

12 Chris Campbell, senior vice president, general
13 counsel, secretary, chief franchise policy officer, for
14 Yum! Brands.

15 Jane Curran, the executive director of the
16 Florida Bar, leading expert on IOLTA.

17 Christine DeVita, served as president of the
18 Wallace Foundation and expert on innovative
19 philanthropic practices.

20 Terry Fraser, a CPA with LarsonAllen, advisor
21 to more than 100 nonprofits across the country.

22 Bob Henley, former managing partner of Ernst &

1 Young's Central Virginia practice, long experience in
2 assessing internal controls with auditing and report on
3 internal controls.

4 David Hoffman, former Inspector General of the
5 City of Chicago, former federal prosecutor, and now, by
6 happenstance, my partner.

7 Alan Jenkins, executive director of The
8 Opportunity Agenda, who has an extensive background in
9 grant-making.

10 Ron Shaich, co-founder of the Panera Bread
11 Company. More than 25 years serving as a CEO of major
12 companies with franchise operations.

13 Paul Snyder, a widely recognized expert on
14 internal financial controls who serves on a host of
15 audit committees for public companies, a retired
16 Midwest Area managing partner at KPMG.

17 Allan Tanenbaum, general counsel, managing
18 partner of Equicorp Partners, deep experience in
19 corporate governance.

20 Nikki Tinsley, former Inspector General at EPA
21 who oversaw complex nationwide audits, largely regarded
22 as one of the deans of the inspector general

1 profession.

2 Doug Varley, a lawyer with Caplin & Drysdale
3 who administered grant-making programs at the National
4 Endowment for the Humanities.

5 Michele Warman, who brought us insights from
6 the foundation world where she's the general counsel
7 and secretary of the Andrew Mellon Foundation.

8 I also want to thank Baker Tilly, whose
9 support provided support for the task force as well as
10 the LSC Office of Legal Affairs, which helped
11 coordinate meetings and materials.

12 I'd now like to ask Jim Sandman to provide the
13 Board with his views on the task force's
14 recommendations.

15 PRESIDENT SANDMAN: Thank you, John.

16 My experience over the past year as President
17 of the Corporation has been consistent with the task
18 force's observations and has validated their
19 recommendations. I support the recommendations of the
20 task force.

21 In discharging our responsibilities to the
22 taxpayers whose money we are entrusted with spending,

1 and to the clients that the programs we fund serve, I
2 believe it is critical that LSC have a complete and
3 integrated picture of each grantee.

4 We need to have ready access to all
5 information we have about the grantee from every
6 source, and we need to be able to share that
7 information easily among those within LSC responsible
8 for grant approvals, grants management, compliance and
9 enforcement, fiscal oversight, and program quality
10 assessment. The information flow should, in my view,
11 be seamless.

12 The current reality in my experience is
13 different. Notwithstanding significant improvements in
14 communication and coordination by managers, committees,
15 and individual staff, I believe that the current
16 organizational structure impedes access to and sharing
17 of information about grantees that is important in
18 identifying and managing risk -- fiscal risk,
19 compliance risk, and program quality risk.

20 In saying this, I intended no criticism of
21 the managers or the dedicated and capable staff of the
22 Office of Program Performance, the Office of Compliance

1 and Enforcement, and the Office of Information
2 Management. I have witnessed and appreciate their
3 commitment to working cooperatively across offices.

4 I want to compliment particularly Janet
5 LaBella and Laura Rath for their collaborative work
6 over the past year with each other and with the Office
7 of the Inspector General.

8 I believe the problem lies in the structure
9 itself, which separates functions that are all closely
10 related and not at all inconsistent with or
11 contradictory of one another -- program performance
12 assessment, compliance and enforcement, fiscal
13 oversight, and information management.

14 The fact that a grantee has serious service
15 delivery deficiencies, for example, because of
16 ineffective intake practices, poor supervision of staff
17 attorneys, or insufficient technology should be known
18 to and considered by those within LSC assessing fiscal
19 and compliance risks.

20 The functions of program enforcement
21 assessment, compliance and enforcement, fiscal
22 oversight, and information management all must merge at

1 some point on the LSC organizational chart. They
2 certainly all merge in me. I am responsible for all of
3 them.

4 And I have found that the current structure is
5 not sufficiently conducive to generating the
6 information necessary for optimal management of the
7 Corporation. I believe that the Corporation would be
8 better served by an integration of these functions at a
9 lower level.

10 I have read the comments submitted carefully,
11 and I have spoken to a number of employees about the
12 task force's recommendations. I respect and am very
13 sensitive to their concerns. I believe that how the
14 task force's recommendations are implemented can
15 address many of those concerns.

16 The task force wisely did not attempt to
17 prescribe the details of implementation. Nothing in
18 their recommendations, for example, requires that OPP
19 and OCE employees become fungible, or that employees
20 currently in those offices not continue to have
21 specialized functions.

22 If the Board approves the recommendations, I

1 will seek broad input from LSC managers and staff, and
2 I will work closely with our union, particularly on
3 implementation of those recommendations that implicate
4 our collective bargaining obligations.

5 Good communication will be critical throughout
6 the implementation process, and I am committed to
7 listening and keeping people informed at every step.

8 CHAIRMAN LEVI: Now, the task force report
9 include a number of important observations and
10 recommendations. I wholeheartedly agree with Jim's
11 assessment. And, having received and considered the
12 comments, the testimony, I think the Board is now in a
13 position to act on the task force's reports and
14 recommendations.

15 We all know that implementation is critical.
16 I think we should give maximum discretion and
17 flexibility to management to implement the
18 recommendations of the task force. My own view is that
19 task force recommendations are insightful, will result
20 in a better, more integrated approach to grant-making,
21 grants management, and oversight in all of its
22 forms -- fiscal, regulatory, and program quality.

1 So I would like now to have a motion and a
2 second to adopt the report and to forward the
3 recommendations of the task force to management for
4 implementation. Can I have such a motion?

5 MS. REISKIN: Yes.

6 CHAIRMAN LEVI: So move?

7 M O T I O N

8 MS. REISKIN: So moved. And this is really an
9 example of leadership, of doing this thoughtfully,
10 getting the best minds involved, and having a lot of
11 respectful public input. I really want to commend the
12 task force and Jim and John for the way you've done
13 it.,

14 And I guess I just want to make one comment.
15 The fact that maybe combining units -- this isn't about
16 just combining units. It's about looking at things
17 differently. And in 21st century nonprofit management,
18 there's no -- small nonprofit, big nonprofit, no one
19 looks at these things separately any more.

20 I think at one point that was appropriate. It
21 isn't now. And so I'd like this to really be -- and I
22 see the way you're going is forward-thinking. But we

1 don't to repeat mistakes in the past.

2 So I just want to say, I really appreciate the
3 process that you've used and the openness and
4 inclusiveness. And I so move.

5 CHAIRMAN LEVI: Can I have a second?

6 DEAN MINOW: I second. And I want to also
7 commend and thank the co-chairs of the task force, who
8 I think did an extraordinary job. And John, for
9 recruiting such a blue ribbon group of people who
10 really devoted their time and energy to this.

11 I think that this set of recommendations will
12 not only correct problems that we have had, it will
13 catapult us to be a model for nonprofit management.

14 CHAIRMAN LEVI: Any further discussion? Yes,
15 Father Pius?

16 FATHER PIUS: As one of the board members who
17 was part -- a little bit late, but a part of the Fiscal
18 Oversight Task Force, it was a really remarkable task
19 force. The people who were involved were very engaged,
20 very knowledgeable, and very insightful.

21 And one of the things I think people -- we've
22 gotten a number of comments on this with some

1 suggestions and some cautions. And the one thing that
2 struck me when reading some of the cautions that we
3 received, some of the comments that we received, is
4 that the vast majority of these concerns were raised by
5 the task force itself, that these were not things that
6 the task force did not think about, and think
7 about -- with some of them, think about and talk about
8 at great length.

9 These were not things that were brushed over.
10 These things that people raised as critical points,
11 weighed very effectively by the task force, and then
12 came to the conclusion that it came to.

13 And the big point has been made, and I think
14 it's a true one, is that this isn't just tinkering.
15 This isn't just moving chairs around in the conference
16 room. This is a new way of thinking, and it's part of
17 going to be a broader way that I think we as the Board
18 want the entity to start thinking about the way in
19 which it does the work that it does.

20 This is a factor in that, a very big factor
21 and an important factor, but a part of, I think, a
22 longer-term change in the culture of LSC, the way in

1 which it approaches grants. And I'm grateful for the
2 amount of work that has gone into it, the amount of
3 really careful thought that has gone into it.

4 And I fully trust Jim and the team that he has
5 to implement this in a practical and appropriate way.

6 CHAIRMAN LEVI: Any other comments or
7 questions?

8 (No response.)

9 CHAIRMAN LEVI: All in favor?

10 (A chorus of ayes.)

11 CHAIRMAN LEVI: Opposed?

12 (No response.)\

13 CHAIRMAN LEVI: I want to also then say my own
14 personal gratitude to Vic and to Robert. You really,
15 really worked hard. It was almost a full-time job, and
16 for a year. I'm sure it drove you crazy at times. But
17 you have really gotten the Corporation to a very good
18 place, and in thanking you, I'd also like to ask the
19 Board to consider the resolution at No. 21 which thanks
20 all of the members of the task force for their service,
21 and have an appropriate motion to do that.

22 //

1 M O T I O N

2 FATHER PIUS: So moved.

3 CHAIRMAN LEVI: Second?

4 MS. REISKIN: Second.

5 CHAIRMAN LEVI: Any discussion?

6 DEAN MINOW: Will we send them letters to
7 thank them?

8 CHAIRMAN LEVI: Yes. Yes, they'll get a copy
9 of a formal resolution with a thank-you note.

10 All in favor?

11 (A chorus of ayes.)

12 CHAIRMAN LEVI: Opposed?

13 (No response.)

14 CHAIRMAN LEVI: Thank you, Mr. Maddox. Don't
15 miss your flight.

16 We are now back to item 13. And I Martha and
17 Harry speak for a few minutes. It was just a brief
18 report on the Pro Bono Task Force.

19 MR. KORRELL: Mr. Chairman, I'll make most of
20 that report, though I'm going to ask Martha to weigh in
21 on an item or two.

22 I really just want to reiterate the Chairman's

1 comments he made during the chairman's report. This
2 task force has been terrific. It has worked
3 extraordinarily hard. Each one of these groups -- some
4 of them are meeting biweekly for one- and two-hour
5 telephone conferences. And I confess, I find it hard
6 to keep up. I can't make all of the meetings of all of
7 the subgroups.

8 DEAN MINOW: Especially when they're at the
9 same time.

10 (Laughter.)

11 MR. KORRELL: They are. It's really been a
12 remarkable organization. They take their jobs very,
13 very seriously.

14 As many of you know, and I'll summarize
15 briefly here in just a second, there are five working
16 groups focusing on five topic areas that came out of
17 our initial task force organizational meeting. And
18 each one of these groups is undertaking their jobs with
19 a great deal of effort and expertise.

20 I think this is an example of what LSC can do
21 best, beyond just handing out money. I think it's a
22 terrific example of how we can leverage federal dollars

1 into a much greater value, apart from just giving the
2 money out.

3 I would be curious at some point -- and maybe
4 we do the same thing for the Fiscal Oversight Task
5 Force -- can we quantify that somehow? I mean,
6 hundreds and hundreds of hours by very senior,
7 sophisticated, talented lawyers around the country are
8 going into this. It's got to be a multi-million-dollar
9 effort, pulled together by the efforts of John and
10 Martha to twist arms and get people on this task force
11 and do this work. It's really been impressive.

12 So what's been happening? As you know, there
13 are five working groups on the task force, one looking
14 at Best Practices in Urban Areas; that group has done
15 dozens of interviews and conducted a literature search.

16 Their goal is to have a draft report of their
17 work identifying some of the best practices in
18 encouraging and increasing pro bono work in urban areas
19 at the end of January as a step on the way towards
20 their providing their report to the Board in April.

21 The Obstacles Working Group --

22 CHAIRMAN LEVI: I should just say, and one of

1 the co-chairs of that is Doug Eakeley.

2 MR. KORRELL: He has been working very hard.

3 The Obstacles Working Group has allocated the
4 obstacles that they've identified to members of that
5 working group, and they are out doing research,
6 interviewing people, speaking with local regulators,
7 bar associations, looking at materials -- I mean,
8 really hard work by these folks to pull together their
9 report on obstacles. They're meeting in person in
10 conjunction with ABA meetings in February in Louisiana.

11 Best Practices/Rural, same thing. They're
12 fanning out across at the country. They're
13 interviewing rural providers, collecting best
14 practices. And particularly with the rural
15 groups -- maybe not surprising, given what we've been
16 hearing here -- they are also collecting data on
17 obstacles to increasing pro bono work through the help
18 of DLA Piper and Mattie Cohan, who's doing a lot of
19 support for these groups.

20 They're able to share the information that
21 comes up when they identify obstacles with the
22 Obstacles Working Group. These folks aren't working in

1 silos; they're working with each other very
2 effectively, I think.

3 CHAIRMAN LEVI: And I'll say, as you heard
4 yesterday, Deane Tacha is one of the co-chairs with
5 Judge Moyer, who is from Kentucky. And I know they
6 personally have conducted tens of interviews.

7 MR. KORRELL: Right. I mean, just so people
8 get the flavor of this, Judge Tacha is not just sitting
9 at the top of a project and telling people what do.
10 She is out interviewing nearly a dozen people to get
11 their input on this. And really, when someone like
12 that comes to do the interview, it's really an
13 impressive effort.

14 The Big Ideas Working Group that I know Martha
15 is working on, looking at things like virtual local
16 networks, using CLE requirements to encourage pro bono
17 work, using a PR campaign to educate the country about
18 the crisis, and I'm hoping paying attention to some of
19 the efforts done in Florida now to educate about what
20 can be done -- looking at broader approaches to
21 systemic problems, including, potentially,
22 ombudspersons at federal agencies to help reduce the

1 need for pro bono lawyers.

2 We've seen repeatedly that some of the
3 agencies, like HUD or Veterans Affairs or IRS, are a
4 tremendous source of our business. And perhaps if they
5 could clean up their houses a little bit and we could
6 help them do that, then there'd be less demand on pro
7 bono. Also, looking at legal fellowships for recent
8 law school graduates.

9 The Technology Working Group -- and I think,
10 John, you're working on that with Jim -- looking at
11 things like videoconferencing, information management
12 including phone systems and data management,
13 partnerships with technology companies, and perhaps pro
14 bono contributions from some of them.

15 John, do you have anything to add to that?

16 CHAIRMAN LEVI: I want going to just say, the
17 chairs are Kate Fritz, who's the head of the Fenwick &
18 West law firm in Palo Alto, and David Arroyo, who's the
19 counsel of Scripps Interactive Networks. The two of
20 them have been just all over this.

21 And some of our grantees -- Mike Monahan, I
22 think he's Georgia, and Terry Hamilton in Texas -- have

1 been regular contributors. And boy, I'll tell you,
2 this is -- they're all over this.

3 MR. KORRELL: It really is remarkable. And in
4 addition, John, Jim, and I attended the a Pro Bono
5 Summit. I think we might be outpacing them a little
6 bit, given that --

7 CHAIRMAN LEVI: I think more than a little
8 bit.

9 MR. KORRELL: I mean, seriously, this is -- I
10 have seen --

11 CHAIRMAN LEVI: It's not a competition.

12 MR. KORRELL: No, it's not. But I have seen
13 work groups like this before. You've all seen working
14 groups like this before. I've never seen anything that
15 had this much dedicated effort. And I think part of it
16 comes from John's whipping people, and from setting an
17 aggressive agenda and schedule. Because it's got
18 people meeting regularly.

19 CHAIRMAN LEVI: They're afraid of Martha.

20 (Laughter.)

21 MR. KORRELL: So anyway, it's really -- it's
22 coming along great. I anticipate that we will get

1 meaningful reports from ever the working groups at the
2 April board meeting. DLA Piper is then going to take
3 the lead in aggregating all that information and
4 generating a single report so that it won't have
5 redundancies that are a little bit inevitable in these
6 kinds of things.

7 It's really been terrific. And I don't think
8 my report's complete without thanking Mattie for all
9 her work on some of these working groups, pulling
10 together the information; and the work of the DLA Piper
11 firm has been terrific in providing staffing.

12 I don't know if anybody noticed, but at one
13 they had committed, I don't know, one or two people in
14 their pro bono group; and now the entire pro bono
15 operation at DLA Piper is providing some level of
16 support for this. And we really couldn't do it without
17 that kind of help.

18 And I'm serious that at some point it may be
19 worth attempting to quantify the value that this task
20 force has provided to LSC and to the pro bono community
21 as an example of the leveraging that LSC is able to
22 accomplish. I think it'll be -- consistent with this

1 idea that we need to come up with numbers and metrics
2 that will impress Congress, I think this is a terrific
3 one.

4 So anyway, Mr. Chairman, that's my report.

5 CHAIRMAN LEVI: And I should have said on Big
6 Ideas, Judge Sven Holmes, who's the vice chair of KPMG,
7 a former federal judge; and Teresa Roseborough has
8 reemerged, and she is now, I think, the general counsel
9 of Home Depot. And those are the co-chairs.

10 MR. KORRELL: Martha, I know you had two
11 points I think you wanted to add to the report.

12 DEAN MINOW: Just small comments, with adding
13 my thanks to Mattie and to DLA, and also to Harry,
14 who's a great co-chair. This is an opportunity
15 now -- it's a little premature, but I just want to say,
16 everyone on the Board, if you have any interest in any
17 of these five groups, we'd be happy to share with you
18 the schedule and call-in numbers, if you want to
19 contribute at this point.

20 When we do have the draft reports, we really
21 want your comments and suggestions. There will be
22 inevitable overlap in the sections, but we thought that

1 was better than not having full coverage. And I think
2 we'll see some synergies, for example, between
3 Technology and Rural that we already heard about some
4 yesterday.

5 The final point is, I think that we thought
6 about this when we met in Cambridge, and I think it's
7 really been driven home to me in my conversations with
8 co-chairs. Ultimately, support and mobilization for
9 whatever we report will be as important as what's in
10 the report.

11 So giving some real thought to the rollout and
12 to the development of constituencies of support is
13 something that I think is going to be the
14 responsibility of this Board. And I'm going to invite
15 us all to think about that. And that includes thinking
16 about YouTube or other kinds of technologies, as well
17 as how to best approach potential partners in our
18 efforts, when we do have the report, to publicize it.

19 CHAIRMAN LEVI: And assuming we maintain our
20 schedule, it's our intention to have the co-chairs of
21 each of the working groups and any of the significant
22 contributing members of the task force that are

1 available actually come, and the DLA Piper folks, to
2 the board meeting in April. So you will get to be with
3 them.

4 MS. BROWNE: Well, I'm on the Best Practices
5 of the Rules area.

6 CHAIRMAN LEVI: Yes, you are.

7 MS. BROWNE: And I am amazed at the leadership
8 of that group and the energies that they are putting
9 into coming up with some best practices. And DLA
10 Piper, as well as Mattie Cohan, have just done a
11 remarkable job. And they deserve a big recognition
12 here.

13 CHAIRMAN LEVI: I agree with that. And we're
14 keeping them on. This group started in August, and
15 we're asking for their recommendations in March, their
16 drafts, so that we have it in April. That's a pretty
17 fast track when you're dealing with the bar.

18 Thank you, Sharon.

19 Anything else on thought? Because Robert Grey
20 is the next to take a flight, so he is going
21 on -- we're going to jump just one ahead of promotions
22 and take the Finance Committee.

1 MR. GREY: Mr. Chairman, thank you, and to my
2 colleagues, thank you for giving me this little space
3 or window here.

4 The Finance Committee met yesterday and
5 reviewed the consolidated budget for 2011, and
6 recommends to the Board a resolution approving what is
7 a Revised Consolidated Operating Budget for 2011.

8 M O T I O N

9 MR. GREY: The resolution outlines those areas
10 that have been modified according to the expenditures
11 by the organization, by the Corporation. And after
12 presentation by the treasurer, we would recommend the
13 adoption of the Revised Consolidated Operating Budget
14 for fiscal 2011.

15 MS. BROWNE: And that's on page 83 of your
16 board book.

17 CHAIRMAN LEVI: And I believe it's a
18 resolution of the committee, so it doesn't need -- any
19 discussion?

20 (No response.)

21 CHAIRMAN LEVI: All in favor?

22 (A chorus of ayes.)

1 CHAIRMAN LEVI: Opposed?

2 (No response.)

3 M O T I O N

4 MR. GREY: Mr. Chairman, we also reviewed the
5 consolidated operating budget for fiscal year 2012.
6 After discussion and presentation by the treasurer, we
7 were recommend the adoption of the Consolidated
8 Operating Budget for fiscal year 2012, found on page 93
9 of the book.

10 CHAIRMAN LEVI: Any discussion?

11 (No response.)

12 CHAIRMAN LEVI: All in favor?

13 (A chorus of ayes.)

14 CHAIRMAN LEVI: Opposed?

15 (No response.)

16 MR. GREY: Mr. Chairman, thank you. And
17 finally, there was discussion with regard to a
18 resolution that would help in assisting the staff
19 regarding the selection of accounts and deposits for
20 LSC funds, that resolution was considered by the
21 committee.

22 Suggestions were made to the general counsel

1 to be sure that at all times, there were two members of
2 the staff to deal with exigent circumstances. The
3 resolution has been properly amended and brought before
4 us, and is before us for consideration.

5 The addition of the person -- we originally
6 had the President, the treasurer, and the general
7 counsel. But there was one circumstance where the
8 treasurer could act alone. The vice chair made a
9 comment and observed that with the way we operate
10 today, with technology and availability of our
11 officers, that we ought to be able to get two
12 individuals at any time, regardless of the
13 circumstances.

14 It has been amended, accordingly, and allows
15 not only for the general counsel, the treasurer, and
16 the President, but any other officer of the Corporation
17 to participate if any of those individuals are not
18 available.

19 M O T I O N

20 MR. GREY: So I think it is properly amended
21 and before us for consideration. I would so move.

22 MS. BROWNE: I'll second.

1 DEAN MINOW: Oh, we don't have to.

2 CHAIRMAN LEVI: I think -- well, we do.

3 MR. GREY: This was amended.

4 CHAIRMAN LEVI: So it's amended. It's moved
5 and seconded. Any further discussion?

6 (No response.)

7 CHAIRMAN LEVI: All in favor?

8 (A chorus of ayes.)

9 CHAIRMAN LEVI: Opposed?

10 (No response.)

11 MR. GREY: And finally, John Constance in one
12 of his final acts of officialdom gave us some
13 consideration of the 2013 budget, and as he does so
14 eloquently, reminded us that it is a moving target; but
15 commended us on the approach that we took, and that we
16 are well advised to pay attention to both the White
17 House, the OMB, and the Congress as we proceed to
18 consider this going forward.

19 And that's the financial report.

20 CHAIRMAN LEVI: I thought he had made some
21 wonderful promise of deliverance.

22 (Laughter.)

1 CHAIRMAN LEVI: Well, okay. That's your
2 report.

3 MR. GREY: Thank you, sir.

4 CHAIRMAN LEVI: We are now on No. 14, Laurie
5 Mikva.

6 MS. MIKVA: Thank you, Mr. President -- Mr.
7 Chairman, I mean.

8 The Promotions and Provisions Committee did
9 not do anything that requires action on the part of the
10 Board. We had a presentation that we terrific, and we
11 agreed to have a telephone conference meeting in
12 February to discuss the agenda and role of the
13 committee in the upcoming year, and the
14 self-evaluations.

15 CHAIRMAN LEVI: I want to say personally how
16 compelling the issues of rural America seem to be at
17 this juncture, and this presentation that was in front
18 of your comment was very compelling.

19 And I think that you and your committee may
20 wish to consider whether or not we should convene a
21 special summit or meeting gathering whatever about the
22 special issues confronting the delivery of legal

1 services in rural America, and have it later in the
2 year.

3 But you think about that. But I think that's
4 something that we could pull together. And once again,
5 as these task forces are demonstrating, the convening
6 power that we have to bring people together around
7 issues like this can, I think, help. And I would ask
8 your committee, as it talks about its agenda to think
9 about that, with management, obviously.

10 MS. MIKVA: Great suggestion. Thank you.

11 CHAIRMAN LEVI: We are now on the Ops and Regs
12 Committee.

13 PROFESSOR KECKLER: Thank you, Mr. Chairman.

14 The Operations and Regulations Committee met
15 on Thursday. The committee deferred a large amount of
16 its business.

17 Just highlighting what we're planning to do in
18 terms of taking up possible changes in response to the
19 changes in D.C. nonprofit corporation law as well as
20 the committee's consideration of Board protocols, and
21 in particular, the protocol currently governing
22 fundraising for the Corporation.

1 Instead, the committee devoted its time to a
2 full discussion of whether or not to publish for public
3 comment the notice of proposed rulemaking, which you
4 find in your board book, and which relates to the
5 lesser sanctions authority sought by management.

6 We heard presentations from management and
7 from the Inspector General in support of this
8 regulatory change, and in support at this juncture of
9 soliciting public comment on this proposed change. And
10 we heard also public comment indicating concern about
11 it and recommending that we not do so on the basis that
12 the Corporation already had the authority and
13 flexibility that it needed.

14 The committee, after considerable discussion,
15 then voted to recommend to the Board that the NPRM be
16 published for public comment. One item that I
17 made -- comment that I made at the end of the meeting
18 and wanted to put in here is there was some concern
19 there and in prior meetings that whenever we put
20 forward a notice of proposed rulemaking, we put
21 something out in the Federal Register and ask for
22 public comment and so on, that although there are more

1 steps to be taken, that that's the end of the story.

2 And I wanted to make absolutely clear that
3 although that does happen on occasion in federal
4 agencies and federal entities, that's certainly not
5 what the committee and I envision for this NPRM.

6 We're asking for public comment because we
7 want to know what the public thinks, and we want to
8 know suggestions and revisions and changes that might
9 be necessary. And when we get it, we'll take them
10 seriously, and I personally expect that there will be
11 some changes to the regulation based on that.

12 M O T I O N

13 PROFESSOR KECKLER: So with that, I note that
14 the Board would need to approve publication in the
15 Federal Register of the notice of proposed rulemaking,
16 and I so move.

17 FATHER PIUS: Second.

18 CHAIRMAN LEVI: Any further discussion on it?
19 Julie and then Laurie.

20 MS. REISKIN: Yes. First of all, I have
21 absolutely no fear that the train has left the station;
22 with Charles chairing, I think you've been open and

1 supportive of full debate and inclusion, as has the
2 rest of the Board.

3 I'm still going to vote against it, and the
4 reason is that it just still feels like we're making
5 policy around a few bad apples. And it just -- we have
6 so much good stuff going on, I guess I just have
7 concern about like why are -- I think what we have and
8 what we're doing is working.

9 And this just seems like a lot of distraction
10 for a relatively small problem -- not that we ever want
11 to let bad things go. But I guess I feel like we have
12 tools that can work. So I do really respect your
13 process and everything. I just wanted to explain why
14 I'm going to vote no, and it's not about fear that
15 people wouldn't be listened to because I don't believe
16 that at all.

17 CHAIRMAN LEVI: Unfortunately, the experience
18 of this Corporation is that anything, no matter how
19 minor, can be used and blow up. And I think we have to
20 take note of that history.

21 Laurie?

22 MS. MIKVA: Thank you, Mr. Chairman.

1 I dissented in the committee, and am against
2 it now. I agree with Julie that I don't think that Mr.
3 Keckler is not going to consider any -- and the
4 committee will fail to consider any comments that are
5 made. I think two of the three provisions ostensibly,
6 any way you look at them, certainly can be regarded as
7 designed to obtain compliance.

8 One of them just looks punitive, sounds
9 punitive. When we talk about, we talk about weapons
10 and punishing. And I guess I was persuaded thought
11 it's not necessary, that there are other ways to deal
12 with the grantees in a time of really low morale in the
13 field, at a time when we're trying to improve
14 communication with the grantees. I think this sends
15 the wrong message, even to just put it up for notice
16 and comment. Thank you.

17 MR. KORRELL: Mr. Chairman?

18 CHAIRMAN LEVI: Yes, Harry?

19 MR. KORRELL: I'd like to speak in favor of
20 it. With all due respect, I do think that talk of
21 weapons and punishing tend to come from those who are
22 opposed to the proposal as opposed to those who support

1 it.

2 I would note that this is authority that
3 management has wanted for some time. I have a great
4 deal of respect for the management of LSC. They want
5 this flexibility. They want this authority. I
6 recognize that it is only a few bad apples.

7 But as we saw in a conversation earlier in our
8 board meeting today, one person publishes a pamphlet
9 and we get something in the congressional record
10 directing the OIG to pay more attention to us. It is
11 only a few bad actors.

12 And I don't view this as a commentary or
13 message to the field that we think there's widespread
14 problems. The problem is, there are some bad actors,
15 and I think management is asking for some more
16 flexibility and authority to deal with those few bad
17 actors and maybe make them even fewer.

18 This is something that management wants. It's
19 something that the OIG thinks management ought to have.

20 And for those reasons, and for the reasons articulated
21 in our committee meeting, I support the proposal and
22 encourage my fellow board members to vote in favor of

1 it.

2 CHAIRMAN LEVI: Sharon and then Martha.

3 MS. BROWNE: I'm going to encourage the board
4 members to vote in favor of having this interim remedy
5 available to management and staff as they go out into
6 the field. Of course, there's no requirement that the
7 intermediate conditions be imposed. But it is an
8 opportunity for management to have more flexibility in
9 what it does do.

10 I think the more tools that are available to
11 management, the better off they can do their job. And
12 it also just makes the field pay attention. And I
13 think they are just as well aware of the bad apples,
14 and they don't want to be put in the same barrel. And
15 this gives an opportunity for management to take those
16 bad apples out.

17 DEAN MINOW: So I take Julie and Laurie's
18 comments very seriously, especially since they are
19 pretty close to the ground here. But I also think that
20 the process of notice and comment is precisely open
21 enough to hear about such issues as tone, and how this
22 would be received, and whether there's some

1 alternative. So I fully support this step.

2 CHAIRMAN LEVI: Any other comment? Gloria?

3 PROFESSOR VALENCIA-WEBER: Hearing from our
4 grantees, they're concerned about what they at times
5 feel as inappropriate pressures and pushes that they
6 get.

7 And at the same time, having been part of
8 entities as well as involvement in the running of a law
9 school, I know you have to have flexibility and
10 something between the swat on the hand and an atomic
11 bomb kind of explosion to really have an enterprise
12 this large be successfully managed not only at the top
13 level, but also what happens on the ground with real
14 people's lives.

15 So I'm asking if it's permissible to really
16 abstain at this vote, and then ultimately, when the
17 proper procedure that Charles and the committee have
18 undertaken, seen the result that comes back after all
19 the waiting and the comments, those comments, I will
20 make my decision on voting.

21 CHAIRMAN LEVI: That's fine.

22 All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN LEVI: Opposed?

3 MS. REISKIN: No.

4 MS. MIKVA: No.

5 CHAIRMAN LEVI: Abstentions?

6 PROFESSOR VALENCIA-WEBER: Abstain.

7 CHAIRMAN LEVI: It carries.

8 Is there any more from your committee?

9 PROFESSOR KECKLER: Thank you, Mr. Chairman.

10 No, that concluded the business that we could conclude
11 at the Operations and Regulations --

12 CHAIRMAN LEVI: So you'll be meeting again
13 before April?

14 PROFESSOR KECKLER: I think that we will be
15 having a telephonic meeting in which we can talk about
16 our goals and at least a preliminary consideration of
17 some agenda items that we would need to talk about.
18 Thank you. That concludes the report of the
19 Operations and Regulations Committee.

20 CHAIRMAN LEVI: Thank you very much.

21 MS. REISKIN: May I ask a question?

22 CHAIRMAN LEVI: Yes.

1 MS. REISKIN: Is there a defined in
2 regulations timeline of how long the notice and comment
3 period is?

4 CHAIRMAN LEVI: Yes.

5 MS. REISKIN: So that all gets --

6 CHAIRMAN LEVI: Yes.

7 PRESIDENT SANDMAN: I think Mattie -- we have
8 some flexibility there. Mattie, can you address that?

9 MS. COHAN: Yes. What was drafted in the
10 draft NPRM is a 60-day comment period, which was chosen
11 kind of in a balance of wanting to leave a sufficient
12 amount of time for anyone who wants to comment without
13 having it drag on forever. We would have to do at
14 least like -- the basic assumption is like 30 days.
15 But on something this important, a 60-day comment PDR
16 seemed a lot more appropriate.

17 CHAIRMAN LEVI: Thank you.

18 MR. KORRELL: Mr. Chairman? When will this
19 get published?

20 MS. COHAN: I go back and --

21 CHAIRMAN LEVI: In a few days.

22 MS. COHAN: I'm going to guess by the end of

1 the week or the beginning of next week -- you know,
2 cleaning it up and making sure there are any last typos
3 taken out of it; getting the fully signed copies over
4 to the Federal Register, and once they have it at the
5 Federal Register, it usually takes about two days for
6 them to post something, and then it's usually published
7 a day after that.

8 MR. KORRELL: Thank you.

9 MS. COHAN: Oh, if it helps people to
10 understand, also, once it's published, we'll also have
11 that up on our website and an email will go out to all
12 grantees telling them with the link of where they will
13 the reg, the notice of proposed rulemaking, that it's
14 available for them to review and when the comment
15 period is.

16 FATHER PIUS: As long as it's not long.

17 MS. REISKIN: No. Just will we get a copy and
18 will we get that email also?

19 MS. COHAN: Oh, certainly.

20 MS. REISKIN: And if there are particularly
21 client members who want to read it but who don't have
22 email, can they call the office and get it mailed?

1 MS. COHAN: Absolutely.

2 MR. KORRELL: Mr. Chairman, this is something
3 on the website I think will get read.

4 CHAIRMAN LEVI: Probably will be. That's
5 okay. That's okay. But we -- Okay. Enough on that.
6 The Governance Committee.

7 DEAN MINOW: Mr. Chair, the committee met and
8 we deferred until later time full discussion of our
9 self-evaluation. We heard a report from John Constance
10 about the implementation of GAO recommendations, most
11 of which are well on their way, and there's a plan for
12 the fulfillment of each of the remaining ones.

13 And we considered and approved a proposal for
14 the evaluation of the President and other officers, and
15 I have since shared with the members of the committee
16 the self-evaluation that Jim Sandman already has
17 provided. Thank you, Jim. And we heard from the IG on
18 his second annual evaluation, and commended him for his
19 work.

20 And we concluded, and that is the end of the
21 report of this committee.

22 CHAIRMAN LEVI: Any questions?

1 (No response.)

2 CHAIRMAN LEVI: Then the Institutional
3 Advancement Committee met this morning. We had a
4 briefing from our outside consultant, Robert Osborne;
5 his work continues. We had a report in open session
6 from Jim Sandman about the grant from the Public
7 Welfare Foundation. There is no current action for the
8 Board to take. And that was the business of the
9 Institutional Advancement Committee.

10 We are now on the resolution of thanks to
11 Alice Dickerson, which is in your board books. If I
12 could have a motion to --

13 DEAN MINOW: She's not in the room.

14 CHAIRMAN LEVI: Hmm?

15 DEAN MINOW: She's not in the room.

16 CHAIRMAN LEVI: No. She's not in the room
17 because she's no longer --

18 M O T I O N

19 MS. REISKIN: So moved.

20 CHAIRMAN LEVI: Second?

21 FATHER PIUS: Second.

22 CHAIRMAN LEVI: All in favor?

1 (A chorus of ayes.)

2 CHAIRMAN LEVI: And then we have a resolution
3 of thanks to Mr. Constance. We've all been saying what
4 we think, but with all seriousness now, John, you've
5 done a spectacular job. Sometimes you can't say thank
6 you enough. I hope you understand the depth of the
7 feeling of this Board for the work you've accomplished,
8 and for really taking us by the hand as we came in the
9 door and making sure we knew which way to turn.

10 So we're very much in your debt. So could I
11 have a motion on the resolution?

12 M O T I O N

13 DEAN MINOW: I make a motion, and note that
14 there is no time limit on the resolution indicating an
15 actual farewell. But with that comment, I am happy to
16 support this resolution of a statement of appreciation.

17 CHAIRMAN LEVI: Second?

18 FATHER PIUS: Second.

19 CHAIRMAN LEVI: All in favor?

20 (A chorus of ayes.)

21 CHAIRMAN LEVI: Thank you.

22 And before we move to public comment, let me

1 also enter a thank you to the San Diego
2 program -- they're not here this morning -- but for
3 hosting us; for all of the panel members, the speakers,
4 who came from distances, at times not fully convenient
5 for them, to be with us; and all of the awardees for
6 their work. This has been yet another very special
7 meeting, and we're very grateful to those here who
8 hosted us.

9 Now public comment? Mr. Constance?

10 MR. CONSTANCE: As a reminder, Mr. Chairman,
11 that I soon will be a member of the public --

12 (Laughter.)

13 MR. CONSTANCE: -- I just wanted to say a word
14 or two to you and your colleagues on this Board. Your
15 energy, John, and your vision are absolutely contagious
16 to not only the people in this room but everyone in the
17 field.

18 Your deduction, Martha, in terms of your time
19 has just been incredible. And each and every member of
20 this Board has served with great honor and distinction.

21 I must say this also, that the legacy of this
22 Board will be Jim Sandman. If this Board had done

1 nothing, nothing, but hire Jim Sandman as the President
2 of LSC, they would have served the legal aid community
3 in the United States quite well.

4 I also say that your two client members have
5 set the bar at a height that will never, ever be
6 surpassed in the future. And by their presence and by
7 their eloquent words, they remind us that it is all
8 about the client.

9 And when Greg Knoll and his staff close their
10 eyes at night, I'm sure the visions that come up in
11 their minds are the children that they try to keep with
12 their families, and the battered women in shelters that
13 they try to protect, and the people that they try to
14 keep in their homes.

15 I just hope that this Board and all of us in
16 the future, when we close our eyes at night, remember
17 that Greg Knoll and his Army, and all the other people
18 across the country, are out there for not a lot of
19 remuneration but with an awful lot of deduction.

20 I thank you very much for giving me an
21 opportunity to serve.

22 CHAIRMAN LEVI: Thank you, Mr. Constance.

1 (Applause)

2 CHAIRMAN LEVI: Mr. Saunders?

3 MR. SAUNDERS: Thank you, Mr. Chairman.

4 Congratulations to you and thanks to you and Dean Minow
5 for your election today and continued service and
6 leadership to the field. I think we at NLADA and the
7 entire community you speak for so appreciate your
8 leadership and commitment to the cause.

9 Around five years ago, I was talking with an
10 LSC staffer about this guy that they were hiring who
11 lobbied for the Archives for about 30 years. I
12 wondered at the time about, what connection could there
13 be between lobbying for the Archives and this crazy
14 work?

15 When I first met John Constance, he answered
16 my question with a simple but wonderful phrase -- I'll
17 always remember it: "I thought it was about time I
18 stopped preserving the Constitution and went about
19 making it more of a reality," which I think is a
20 wonderful statement of the work he's done here.

21 He's been a true professional and a personal
22 delight to work with. He's obviously a passionate and

1 successful advocate. One of the things I admired most
2 about John, and you just heard it, is how much he cares
3 about the actual staff and clients in the field whose
4 work he has made possible.

5 He has a wonderful reputation among my
6 colleagues throughout the country. They can tell how
7 much he actually cares about what he's doing. And
8 being something of a lobbyist myself, that's not
9 something you often say about your compatriots; they
10 can lobby for anything. But John felt it deep in his
11 soul.

12 On behalf of all of them, I wish him well as
13 he moves down to my old neck of the woods. As they say
14 about John's new home, if God is not a Tarheel, then
15 why is the sky Carolina blue?

16 (Laughter.)

17 MR. SAUNDERS: We wish for nothing but blue
18 skies for John and his family. Thank you.

19 CHAIRMAN LEVI: Thank you, Don.

20 Earl Johnson?

21 JUDGE JOHNSON: My comment is more in the
22 nature of a request. As some of you know, I have been

1 researching and writing a book on the history of civil
2 legal aid starting in 1876 up to the current day. And
3 I have, 250,000 words later, reached the current day.

4 So in the next month or so, I'm going to be
5 calling a number of you, and members of the staff as
6 well, to do telephone interviews regarding what's
7 happening in the current day. And I hope that you will
8 be willing to take those calls and answer the questions
9 in those interviews.

10 I have enjoyed very much this opportunity
11 which came to me to appear on behalf of SCLAID, and
12 have the opportunity to see what's happening on the
13 Board. And I was very much impressed with the quality
14 of the discussion and actions taken, although I had
15 some disagreement with one of those.

16 I thank you very much, and look forward to
17 talking with you in the next month or so.

18 CHAIRMAN LEVI: Thank you, Earl.

19 Any other public comment?

20 (No response.)

21 CHAIRMAN LEVI: Hearing none, we can consider
22 and act on -- oh, yes. We need to move to No. 24. I

1 should have actually handed -- consider and act on the
2 request of an officer of the Corporation for
3 authorization to receive compensation for services from
4 a source other than the Corporation.

5 DEAN MINOW: You mean 33?

6 CHAIRMAN LEVI: That is No. 33 we are
7 considering right now in open session. And what is
8 this about? I'm not informed. There is a memo in
9 here? Oh, I see. Yes, I do know what it's about.
10 Yes. It's in the back of your -- it's at page 352.

11 MR. KORRELL: John, does someone from
12 management have a presentation on that, or are we just
13 to read the memo?

14 CHAIRMAN LEVI: And there is a resolution that
15 provides this possibility here on page 353. Does
16 management have a view on this?

17 PRESIDENT SANDMAN: This is -- if Dave
18 Richardson wants to speak to it, this is a personal
19 request. Under the LSC Act, an officer of the
20 Corporation may not receive any compensation for
21 services other than their work for the Corporation
22 without the express approval of the Board. And so

1 Dave's request is set forth in his memo.

2 CHAIRMAN LEVI: Well, the question that I have
3 about this is, the resolution is open-ended. And I
4 think that in a normal professional setting, if
5 additional work begins to interfere with regular work,
6 I don't want this to be used as the Board's blessing of
7 an interference with the ability to carry on the full
8 and complete functions at the Corporation.

9 And as long as you and Jim read it that way,
10 I'm okay with it. But it doesn't have a limitation in
11 there or any such admonition. And I do not want it to
12 be used against the Corporation in some -- am I reading
13 that incorrectly?

14 DEAN MINOW: May I suggest --

15 CHAIRMAN LEVI: So long as he renders services
16 outside and services do not interfere.

17 DEAN MINOW: Do not interfere.

18 CHAIRMAN LEVI: I guess that's sufficient.

19 MR. KORRELL: John, I agree with you, and I
20 think your concern is addressed by the language.

21 CHAIRMAN LEVI: It is, yes.

22 MR. KORRELL: I'm just curious if -- I assume

1 this is something that has been the subject of some
2 conversation between Mr. Richardson and management,
3 that it's not just coming to the Board fresh. And I'm
4 curious if might has a position on it. I'd like to be
5 informed of that.

6 PRESIDENT SANDMAN: Dave informed me of the
7 tax consulting work that he has done, and I thought it
8 appropriate -- I noted the requirement in the Act that
9 the Board approve, and told him that he needed to bring
10 it to the Board for approval.

11 I have noted absolutely no negative impact on
12 his service to the Corporation from the outside
13 activities that he's seeking approval for. So I have
14 no objection to it.

15 DEAN MINOW: So I have no problem with it,
16 either. I just would assume that the way we will
17 implement this is that should there ever be a concern
18 about interference with his paid operations for LSC,
19 that you would let us know, Jim.

20 PRESIDENT SANDMAN: Certainly.

21 CHAIRMAN LEVI: See, what I'm more -- this
22 puts the Board in the middle of management's management

1 of its operation, which I really don't like to put
2 boards into. And if we need to bless this, I guess
3 that's okay.

4 But then from now on, I don't want the Board
5 to be involved in this, at all. This should be within
6 the purview of management. And I want to make sure
7 this resolution, which has this last line in here,
8 doesn't confer that responsibility back up to the Board
9 and put us in the middle of running day-to-day
10 operations because I don't believe that that's the role
11 of a board.

12 MR. KORRELL: John, I think just part of the
13 problem is the statute requires us to weigh in on this
14 particular point. But beyond that, I agree.

15 CHAIRMAN LEVI: Well, it does. But it
16 requires us to --

17 FATHER PIUS: But the determination of whether
18 this interferes with his LSC duties, we should make
19 explicit, is the President's determination and not
20 ours.

21 DEAN MINOW: It's the President's.

22 CHAIRMAN LEVI: That's what I think.

1 FATHER PIUS: So we could add the line, "his
2 LSC duties, as determined by the President."

3 DEAN MINOW: As determined by the President.

4 CHAIRMAN LEVI: Yes. That's what I think we
5 should do.

6 DEAN MINOW: That would be good. That's a
7 good amendment.

8 CHAIRMAN LEVI: Yes. Because otherwise, it
9 seems to me it's going to be determined by us.

10 M O T I O N

11 FATHER PIUS: And if we're doing that, if we
12 could change the language from "the Board and President
13 have in informed" to "have been informed," then that
14 would make the English major in me happier.

15 CHAIRMAN LEVI: That's good.

16 MS. REISKIN: Hear, hear. If that's a motion,
17 I second that.

18 CHAIRMAN LEVI: Yes. That's a motion and
19 that's a second. Any further discussion?

20 (No response.)

21 CHAIRMAN LEVI: All in favor?

22 (A chorus of ayes.)

1 CHAIRMAN LEVI: Thank you, Mr. Richardson, for
2 your dedication.

3 MR. RICHARDSON: Thank you, sir.

4 CHAIRMAN LEVI: And now -- I have to find
5 where the agenda is -- I think we're at consider and
6 act on other business. Is there any other business to
7 come before us?

8 (No response.)

9 M O T I O N

10 CHAIRMAN LEVI: Now we have to move to go into
11 an executive session.

12 DEAN MINOW: Second.

13 CHAIRMAN LEVI: Closed session. All in favor?

14 (A chorus of ayes.)

15 CHAIRMAN LEVI: Opposed?

16 (No response.)

17 CHAIRMAN LEVI: We'll take a break here for a
18 minute.

19 (Whereupon, at 11:52 a.m., the board adjourned
20 to executive session.)

21 ● * * * *

22