

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

MEETING OF THE
BOARD OF DIRECTORS

OPEN SESSION

Saturday, April 17, 2010

3:50 p.m.

Sheraton Tucson Hotel & Suites
5151 East Grant Road
Tucson, Arizona 85712

BOARD MEMBERS PRESENT:

John G. Levi, Chairperson
Sharon L. Browne
Jonann C. Chiles (by telephone)
Thomas A. Fuentes
Robert J. Grey, Jr.
Charles N.W. Keckler
Victor B. Maddox
Thomas R. Meites (by telephone)
Laurie I. Mikva
Martha L. Minow
Hon. Sarah M. Singleton
Victor M. Fortunato, ex officio

STAFF AND PUBLIC PRESENT:

Kathleen Connors, Executive Assistant to the President
Patricia Batie, Acting Corporate Secretary and FOIA
Officer, Office of Legal Affairs
Mattie Cohan, Senior Assistant General Counsel, Office
of Legal Affairs
Charles Greenfield, Program Counsel III, Office of
Program Performance
Charles Jeffress, Chief Administrative Officer
Jeffrey E. Schanz, Inspector General
Joel Gallay, Special Counsel to the Inspector General,
Office of the Inspector General
Laurie Tarantowicz, Assistant Inspector General and
Legal Counsel, Office of the Inspector General
Ronald "Dutch" Merryman, Assistant Inspector General
for Audit, Office of the Inspector General
David Maddox, Assistant Inspector General for
Management and Evaluation, Office of the
Inspector
General
John Constance, Director, Government Relations and
Public Affairs Office
Stephen Barr, Media Relations Director, Government
Relations and Public Affairs Office
Alice Dickerson, Director, Office of Human Resources
Julie Reiskin, LSC Board Nominee

Don Saunders, National Legal Aid and Defenders
Association (NLADA)
Robert E. Stein, Standing Committee on Legal Aid &
Indigent Defendants (SCLAID), American Bar
Association
Linda Perle, Center for Law & Social Policy (CLASP)

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P R O C E E D I N G S

(3:50 p.m.)

CHAIRMAN LEVI: I'd like to open the meeting of the board of directors -- this is John Levi -- of the Legal Services Corporation. The meeting was duly announced, and timely notice of the meeting was published in the Federal Register.

Before we get to the business of the meeting, I'd like to ask Tom Fuentes to lead us in the Pledge of Allegiance.

MR. FUENTES: Thank you, Mr. Chairman.

Ladies and gentlemen, I would ask you to join me in the Pledge of Allegiance to our nation's flag. And when we do so, I'd ask you to remember the men and women around this globe who wear the uniform of our land who, by their service, defend us that we can meet for an occasion like this, in liberty to advance justice.

(Pledge of Allegiance.)

CHAIRMAN LEVI: I'd like to make a slight change to the agenda and move items 4 through 6 to follow item 10. So, in the interests of efficiency

here, can I have a motion to approve the agenda as revised?

M O T I O N

DEAN MINOW: I so move.

MR. FUENTES: Mr. Chairman?

CHAIRMAN LEVI: Yes?

MR. FUENTES: Comment. Discussion. The agenda, as revised, as far as I'm concerned, misses a couple of points. One is that we don't have the minutes of the organizational meeting electing the board officers, which I think is an important matter that we ought to be affirming and approving the minutes of that organizational meeting. And for some reason, we don't have those minutes --

CHAIRMAN LEVI: That was from the meeting of April 7th.

MR. FORTUNO: I can't speak to that, but it was a delay in getting the transcript.

MR. FUENTES: Do we have those minutes here?

CHAIRMAN LEVI: The minutes are here?

MS. BATIE: I have the minutes. They are done.

MR. FUENTES: Is there a chance that we could have those that we could approve? After all, all that we do in the conduct of the business of this meeting is based on the fact that we elected new officers and gave the authority to the new chairman to approve the committees, the committees of which have met? And that should be our first order of business.

CHAIRMAN LEVI: Do you have copies of the minutes, by chance?

MS. BATIE: I can obtain a copy of the draft minutes, which were, by the way, drafted and were not complete pending receipt of the transcript, which came in subsequent to publication of the legal notice for the meeting.

MR. FUENTES: All right. I think we should -- I think at this meeting we should, in a matter of parliamentary concern, be approving what transpired at the last meeting as the basis on which we proceed with the conduct of business at this meeting.

DEAN MINOW: Since it was a week ago, I can understand why we don't have it.

MR. FUENTES: Right. I'm not --

DEAN MINOW: But perhaps between now and the end of this particular meeting, something can be supplied. And so we can move to the end of this current agenda.

MS. BATIE: That would be very helpful, and I can do that.

MR. FUENTES: Thank you. I didn't mean any criticism.

MS. BATIE: No, no.

MR. FUENTES: I realize the timing.

The other item is that in that meeting, you'll see when we get those minutes, that my motion was that we take up as a board item the adoption of the establishment of the Pledge of Allegiance as a regular opening item. And I appreciate very much the courtesy of the chairman in implementing it.

But I wish to have that item -- the opportunity to move it. So I should like to item No. 4 from the original agenda on the new agenda.

CHAIRMAN LEVI: I wasn't thinking of taking it off the agenda.

DEAN MINOW: Just moving the timing to the end of the meeting.

CHAIRMAN LEVI: I was just moving the consideration to between 10 and 11.

MR. FUENTES: It's not on the white agenda. It's only on the blue agenda.

CHAIRMAN LEVI: Oh, really? Well, we're using the blue agenda.

MR. FUENTES: No. We're using the white agenda.

DEAN MINOW: All right. Well, but do you have a problem, Tom, with moving that item to follow the reports?

MR. FUENTES: I have no --

CHAIRMAN LEVI: I have no white agenda, so I'm using a blue agenda.

JUDGE SINGLETON: Do you want a white agenda? Here, have a white agenda.

MR. FORTUNO: It's not on there?

JUDGE SINGLETON: Yes. It just says, "Pledge of Allegiance." It doesn't say anything about act, motion.

MR. FUENTES: I should like item No. 4 to continue.

CHAIRMAN LEVI: All right. Well looking at the blue agenda -- I'm sorry. We're going to get confused here.

MR. FORTUNO: Yes. Use this one and make the changes you want on this one.

CHAIRMAN LEVI: Use the blue, and scrap the white agenda.

MR. FUENTES: Great.

CHAIRMAN LEVI: I'm moving items 4 through 6 to appear between 10 and 11.

DEAN MINOW: Thank you.

MR. FUENTES: Great. Second.

CHAIRMAN LEVI: And I guess with the item of the April 7 being moved to -- I guess that'll be No. 20. with that, do I get a second?

DEAN MINOW: Yes. You have a second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Okay. Now can we have a motion to approve the minutes of the board's open

session telephonic --

M O T I O N

DEAN MINOW: So moved.

MR. FUENTES: Second.

JUDGE SINGLETON: All right. I have a change to propose. On page 115, the last line, "President's service would begin" -- insert the word "begin" -- "on January 1, 2010."

DEAN MINOW: It's missing the word "begin" on the last line. Good point.

CHAIRMAN LEVI: Any other corrections?

(No response.)

CHAIRMAN LEVI: Can I have a motion to approve the minutes as corrected?

M O T I O N

JUDGE SINGLETON: So moved.

DEAN MINOW: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: The minutes of January 30, 2010. Can I have a motion to approve?

M O T I O N

JUDGE SINGLETON: So move.

CHAIRMAN LEVI: Any corrections? Comments?

DEAN MINOW: Second.

CHAIRMAN LEVI: Any corrections? Comments?
Changes?

(No response.)

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: My report. I'm going to
race through a few items.

First, I want to thank our hosts in Arizona.
The meeting went so long, they've left. But we have
not left Arizona.

(Laughter.)

CHAIRMAN LEVI: So I don't blame them. I
hope they're having a good rest of their afternoon.
Anthony Young, Lillian Johnson, Levon Henry, did a
great job yesterday. They were wonderful hosts for us
to have as this new board as our first program visit.
I think they set a very high bar.

I also want to thank Kathleen and Pat for
their work on behalf of the board in making this move

so smoothly. And I want to thank our new board just sworn in ten days ago. You have impressed me, and I hope you've impressed yourselves today, with the thoroughness and thoughtfulness of your deliberations and your questions.

I hope that the warmth in the room -- and I don't mean the heat -- continues to be a part of our work together. You could tell, I think, from one another that we are a serious and determined group -- and I suppose if we have many more board meetings of this length, we may lose a little of our determination, but I hope not -- and that we enjoy our time together.

But we have a lot to do. We have a lot to do. Part of what we have to do you heard today, so I'll just tick off a few things just to make sure they're in the public record: a search; a strategic plan; some development of board protocol. We've got to get our own comfort with the accounting, the accounting guide, accountability.

I didn't have time to get out to you, but I will in the coming weeks, a proposal that I have to

have a development committee. I think we need a thoughtful group that begins to explore the possibility of raising some private funds, not in competition with our grantees, but to augment certain particular programs in, for example, the tech arena.

I know that Congress, in fact, asked us recently whether we had made any such efforts. I think the time has come to look at that kind of thing, and I look forward to doing that.

There's clearly a need for some research. You heard that discussion. Back to the tech arena for a minute: how it can -- the online tech world can help us in this arena. The promotion of our services, pro bono world. How we can talk to the private bar. I was very impressed by the Arizona bar and its commitment. We need to carry that with us elsewhere in talking with our colleagues.

One thing I'll just throw out here, but I want the folks at OPP to be thinking about because it's something that has occurred to me. You know, I've been on a school board, a private school board, and I've been involved in university worlds. Those

universities and those schools are on seven-year cycles, their accreditation cycles. They have to do self-studies.

Then a team of experts, not just from the agency but bringing in from the field, from other schools, whatever, come and visit. Those are part of the visit. And those visits occur during the seven-year cycle. There are mid-period reporting back.

I'd like OPP and us to think about how we can best help the field. We've got a lot of information out there, but we have 136 programs, and what they know about one another, and how we relate to them, and how we can help the field.

I don't know whether the model I'm just speaking of would be helpful here, but I'm just tossing it out as something for you all in the agency to think about.

Well, there are many other ideas in my mind.

I know there are in the minds of the members of the board. In the interests of time, I will just say those are some of my tidbits.

I also want to welcome and say thank you to -- I know the CLASP, ABA, NLADA; now, who did I forget? Anybody? -- have come to these meetings. You've sat through them today. You come regularly. We appreciate your contribution.

I also have to say you have many meetings, and your expectation that the chair will be the one speaking at all of them, I hate to disappoint you, but as you can hear, we have such a big agenda here. And our responsibility is to fulfill our mission here. And I'm going to ask that the rest of our board step up and help.

To the extent that the rest of our field and our colleagues within the field wish to hear from LSC, that this will be hopefully a shared responsibility among all of us, and that the field will accept that.

Because we do have a very big agenda, and this is, for us, a pro bono service. We are -- you know, it's a not-for-profit. We're all serving as volunteers.

And so my thanks to all of you individually, each one of you who are on the board now, and have been. And to Frank and his group, you have our

gratitude. There will be a formal recognition of that in a minute.

I said it at the swearing-in. I want to make sure I say it again right now, that we know that seven years is a lot of time, and the work that they did and that they tried to do on behalf of the Corporation to lift instruct funding and to elevate its position in the field was tremendous; and that they also maintained a nonpartisan -- even though they came from different worlds, they maintained a good working relationship and a nonpartisan presence. And we want to emulate that, too.

Finally, I've got to thank Vic here because he's wearing two hats right now. And transitions in organizations are difficult. We understand this is a moment in time for this -- for LSC where it is going through a process with a new board coming in, a new head coming in.

But it must be in some way comforting that a 20-year general counsel is there to sort of hold down the fort. And he's wearing two hats. I find him e-mailing me at 3:45 in the morning, and I'm

wondering, is that because he's on the way to a place that I might be visiting at that hour, or is that because he's up working?

(Laughter.)

CHAIRMAN LEVI: But whatever, he is nonstop committed to the betterment of LSC, and we appreciate it.

MR. FORTUNO: Thank you.

CHAIRMAN LEVI: So that is my report. Any questions about my report? Comments?

(No response.)

CHAIRMAN LEVI: The members now have the opportunity for their comments. Any report? Any item they'd like to bring up? Martha, you want to --

DEAN MINOW: I would just say thank you to everyone who is in the room, and also the people who once were in the room and have left. I think that the spirit and vigor that everyone's bringing to this enterprise is terrific.

And I specially thank the staff because we are asking lots of questions. And I thank the chair for his leadership.

CHAIRMAN LEVI: Thank you. Any other -- Mr. President?

MR. FORTUNO: I can make mine very short, I think. In an effort to keep the board fully and currently informed, I've adopted a practice of sending out monthly updates, the most recent of which went out last week. So you have that.

There's really only been one development since then on which to report, and that is that the card check is supposed to occur at the offices of our labor counsel, Littler Mendelson, and that'll occur on the 30th, so that I should have some further word on that come the very beginning of May.

But I think that unless there are any specific questions. I think you've already got a recent report, and I think that pretty much covers it.

CHAIRMAN LEVI: Any questions for Vic? Comments?

(No response.)

CHAIRMAN LEVI: Mr. Inspector General.

MR. SCHANZ: Thank you, Mr. Chairman. I would advise you, though, that there is a way to

jockey the time that you send e-mails. I'm not that sophisticated to know how to do it.

(Laughter.)

MR. SCHANZ: But I know the technology does exist.

MR. FORTUNO: Oh, you cynic, you.

MR. SCHANZ: So providing IG skepticism, I just want to put that out on the table.

CHAIRMAN LEVI: Your independence is duly noted.

MR. SCHANZ: Thank you. I will also be on a rocket docket here. There's a couple things that you do need to know about, and I believe we've provided the semiannual reports to the Congress to you during either of the two orientation sessions that we had.

The board transmits that. We develop it. The end of the reporting period was March 31st. If you go on our website, you'll see the work that we've done in that six-month period. And when we capture that data, submit it to Congress, or submit it through the board, and then you guys just transmit it to Congress.

Actually, that's my independent report to the Hill. And the board approves -- or not -- I was chastised once before. It doesn't approve it, but transmits it to the Hill. That's upcoming. We should have all our data in by the end of this month, and then we'll have the first draft ready to go.

One of the other things that befalls an IG, whether wittingly or unwittingly, are congressional requests. I have four of them outstanding right now.

The one we had talked about a little bit earlier today was the TIG job.

We've also -- we're engaged in currently a review of the independence during the prior administration, independence of the OLA, whether their opinions were sent truthfully, quickly, without any sort of impediment.

CHAIRMAN LEVI: I didn't hear you. The independence of who?

MR. SCHANZ: Legal Affairs. The Office of Legal Affairs.

CHAIRMAN LEVI: Oh, Legal Affairs.

MR. SCHANZ: Congress has noted that there's

been some delays in the issuance of reports. We're trying to give them the information that they need. Perhaps the president talked Senator Grassley's staff about that when he was on the Hill.

We just received another request on April 8th from Congressman Issa, and that has to do -- that's more a global OIG review as to what I guess have been impeded by agencies. This comes from an OPM issue, where OMB threatened OPM with their budget. They said, well, we'll just make your life miserable --

JUDGE SINGLETON: You've been with the federal government way too long.

(Laughter.)

JUDGE SINGLETON: Who's OPM?

MR. SCHANZ: Office of Personnel Management, Your Honor.

JUDGE SINGLETON: Thank you.

MR. SCHANZ: And OMB is the Office of Management and Budget.

DEAN MINOW: Also OPM is a company name, Other People's Money. Did you know that?

(Laughter.)

CHAIRMAN LEVI: That's what we're supposed to find.

MR. SCHANZ: I can put together a glossary at some point in time.

But that's keeping us very busy. We never know when the congressional requests are coming. And of course, we know where our bread is buttered, so those become pretty much a top priority for the IG, which is why we have a very flexible work plan. I can brief you on it at a point in time, but then we have to keep some resources available, fully engaged, but then I may have to jockey some assignments to be able to answer the congressional requests.

I will mention that it's been a pleasure working with the acting president. Transparency is very evident, and that's one of the things that I brought to this job, was responsibility, accountability, and transparency, otherwise known as RAT.

I do post my reports on the web. I'm required to do that by the IG Reform Act of 2008, but

I do that readily anyway. So as soon as we issue a report, and you'll see that when you visit our website, and you'll see the audit committee bibliography and some other good stuff in there, but you'll also see our SAR reports, our semiannual reports to the Hill.

With that, I look forward to working with the board, and will entertain any questions.

JUDGE SINGLETON: I thought you said there were only four congressional things, and you only told us about three. Is the other one secret or --

MR. SCHANZ: Oh, no. I'm sorry. The TIG review, the Issa request on audit -- oh, that's the other one. Open audit recommendations. Last year Issa's staff put together a listing of all the open yet unresolved recommendations in the federal government, and it came to the point -- to the total of about \$2.6 billion of unresolved recommendations from inspector general reports.

So that would have been the fourth one, Sarah. I glossed over that. I apologize.

JUDGE SINGLETON: Okay. Thanks.

MR. FUENTES: Mr. Chairman, if I could just

for the record --

CHAIRMAN LEVI: Go ahead.

MR. FUENTES: Thank you. Mr. Inspector General, that is Congressman Darrell Issa?

MR. SCHANZ: Issa. Yes, sir.

MR. FUENTES: Yes. He's a distinguished member of the Southern California delegation, a longtime friend, and representative of our community for many years. So as we go to the Hill, Issa.

MR. SCHANZ: Issa. Thank you. He likes the LSC OIG -- not me, but the office.

MR. FUENTES: He's a ranking and distinguished and very intelligent member of the House.

MS. MIKVA: Tom, do you know what committee he's on?

MR. FUENTES: I know several. Homeland Security and Government Affairs.

DEAN MINOW: I think Government Affairs.

CHAIRMAN LEVI: Martha now.

DEAN MINOW: Mr. Inspector General, it has struck me that if you just rearrange the order, you

could have transparency, accountability, and responsibility, and it would be TAR; or even better, accountability, responsibility, and transparency, and it would be ART.

(Laughter.)

MR. SCHANZ: So noted.

DEAN MINOW: They're both better than RAT.

MR. SCHANZ: The one thing I did not mention is RAT is actually a state of art term with the Recovery Act funds. LSC didn't receive any Recovery Act funds, but for the government agencies that did, they established a RAT board, which is very diligently using the IGs to track the funding levels.

There's a whole reporting mechanism.

There's a whole cottage industry that has developed in Washington, D.C. with RAT.

DEAN MINOW: Well, since we are a nonprofit organization that's freestanding, we have a little bit of freedom to be a little different.

MR. SCHANZ: Do you have a preference?

(Laughter.)

CHAIRMAN LEVI: Let's go with ART.

MR. SCHANZ: Okay. I thank you for your humor and your time and your energy.

DEAN MINOW: Thank you.

CHAIRMAN LEVI: Questions for the inspector general?

(No response.)

CHAIRMAN LEVI: Thank you very much.

Mr. Fuentes, your motion on the -- is now the item on the agenda regarding the pledge.

MR. FUENTES: Thank you very much, Mr. Chairman, and thank you, colleagues, for your encouragement at our last meeting.

I have felt that the business and the responsibilities of the Legal Services Corporation in spending some \$420 million of the American people's money for the promotion of justice and equal access to justice is serious business. And I think that our meetings, our board meetings, deserve the gravitas, the symbolism of that seriousness.

M O T I O N

MR. FUENTES: And I would like to move that it be the policy of our board of directors to begin

our board of directors meeting with a Pledge of Allegiance to the nation's flag to acknowledge our commitment to justice for all.

CHAIRMAN LEVI: I think you mean the in-person meetings?

MR. FUENTES: I mean the in-person meetings. Not the committee meetings, but these meetings.

JUDGE SINGLETON: I'll second that motion.

CHAIRMAN LEVI: Any comments? Questions?

DEAN MINOW: I would only ask whether we need a policy or, as we did today, simply put it on the agenda. My only reluctance -- it has only to do with form, nothing to do with substance -- is the precedent of binding a board with a policy with regard to each meeting is something that I don't think fits the best practice of boards.

It's something that I have seen raised and seen questioned precisely because of successor boards being bound by policies. So that would be my only question. It's only form, as I say. It seems to me perfectly appropriate to do as we did today. And I thought it was a moving and very appropriate activity.

CHAIRMAN LEVI: I think he said policy. His motion was policy.

PROFESSOR KECKLER: I mean, the only question I have about that is that it seems that we're adopting this by motion.

DEAN MINOW: By practice.

PROFESSOR KECKLER: But by motion, it seems that a later board, if it wanted to not do it, would then introduce a motion. It probably would have to have the pledge first, but then --

(Laughter.)

PROFESSOR KECKLER: -- it could then have a motion afterwards to not doing it again.

CHAIRMAN LEVI: What if it had the Star-Spangled Banner? Mr. Grey?

MR. GREY: Well, here's what I'd like to -- I'd like to say two things. First of all, I respect Tom's opinion about this. I do, and I know he means it sincerely. So that, I think, is to be observed by the board.

The second thing is we took an oath. And I took that oath seriously, as I'm sure every board

member did. And it was to do exactly that. It was to uphold the Constitution of the United States, and to be sure to administer our responsibilities by law, that this be done under the rule of law.

And so I would observe that that is the overriding message. And what I would like to do is offer a substitute motion, and move that this become the practice of the board, because I think that the oath is the paramount reason for our observance of the legal requirements, and that the ceremonial observation ought to be done as a practice of the board.

CHAIRMAN LEVI: Well, actually, you're moving to amend.

MR. GREY: No. I'm substituting my motion.

CHAIRMAN LEVI: Oh, you're substituting.

MR. FUENTES: Mr. Chairman, I would accept an alternate word for "policy" to be "practice." I have no trouble with that.

MR. GREY: Then I would agree with the motion.

JUDGE SINGLETON: The second would accept

that change.

CHAIRMAN LEVI: Any further discussion?

JUDGE SINGLETON: I just want to know, do we do it before we approve the agenda? Seriously.

MR. FUENTES: Yes. Yes. It should be the first item.

JUDGE SINGLETON: Okay. Call to order and then the pledge.

CHAIRMAN LEVI: Which I did. Which is what I did.

DEAN MINOW: So vote.

CHAIRMAN LEVI: So all in favor?

(A chorus of ayes.)

MR. FUENTES: Thank you very much.

CHAIRMAN LEVI: Just so you know, I have my father's constitution here, and I always keep it with me.

MR. GREY: And I have one given to me by Justice Powell, and I carry that with me as well.

CHAIRMAN LEVI: Very well. Okay. We are now on item -- what was it, item 5, consider and act on whether to establish a search committee for the LSC

president. I think we passed out the resolution. The only thing I would like to change is I believe that the draft had advisory members at the number of three, and I just think we should leave that as an open rather than a specified number.

JUDGE SINGLETON: I'm sorry. Where is that?

MS. MIKVA: What page is that?

CHAIRMAN LEVI: That's what I was told.

MR. FORTUNO: Page 125.

JUDGE SINGLETON: And where's the part about the three?

DEAN MINOW: It's on the charter, membership.

JUDGE SINGLETON: So it's not in the resolution?

DEAN MINOW: It's not in the resolution.

CHAIRMAN LEVI: Not in the resolution. Okay.

DEAN MINOW: It's on page 127, item 2.

CHAIRMAN LEVI: Yes. The charter.

DEAN MINOW: "Has no more than three," and we could amend that to say "a certain number," or --

MS. MIKVA: Just appoint non-directors.

DEAN MINOW: Just appoint non-directors.

MR. FUENTES: Mr. Chairman, I have a question. Does this come to us with the endorsement, blessing, and recommendation of the president, and taking up the other hat, the general counsel?

MR. FORTUNO: Yes. It actually comes to you with a plea.

(Laughter.)

//

M O T I O N

MR. FUENTES: I so move adoption, as presented.

DEAN MINOW: I second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Item 6. I have in the -- and I'm going to read --

DEAN MINOW: Did we do 5a, b, c?

CHAIRMAN LEVI: Oh, do we need another -- we need 5b?

DEAN MINOW: Yes, because we just worked on

the charter.

CHAIRMAN LEVI: All right. Can we have a motion to do that?

M O T I O N

MR. FUENTES: So move.

DEAN MINOW: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: And c -- c we don't have to vote.

DEAN MINOW: We don't? Why not?

CHAIRMAN LEVI: We did the request for proposal.

DEAN MINOW: Develop the RFP?

MR. FORTUNO: You're referring it to the committee.

DEAN MINOW: I see. I see. Okay.

CHAIRMAN LEVI: We're referring it to the committee, and so now we're doing it. Okay. Got it.

Then item 6. In the book on page 136, all of -- I gather this is the form of thanks that has been the tradition of the board. And rather than read

it and taking the time, with apologies to the former board, I'm not going to take the time to read the resolution into the record. But I hope the record will reflect the full appreciation and the full body of the vote.

MR. FORTUNO: Yes.

CHAIRMAN LEVI: And this is to Frank, to David Hall, Herb Garten, Mike McKay, Bernice Phillips-Jackson, and -- is that it?

JUDGE SINGLETON: Did you say Herb?

CHAIRMAN LEVI: Yes. Did I miss anybody?

DEAN MINOW: No.

CHAIRMAN LEVI: I guess the reason -- although there are six incoming board members, one of them took Lillian BeVier's seat and she's already received her thanks?

MR. FORTUNO: That's correct.

CHAIRMAN LEVI: All right. So could I have a motion?

M O T I O N

MR. FUENTES: Move approval of the several motions.

DEAN MINOW: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: We are now on item 11, and these are now the committee's reports. And if they could be limited to resolutions or action items for the full board, that would be helpful in the interests of time.

MS. MIKVA: On behalf of the P&P committee, there is no action items -- are no action items.

CHAIRMAN LEVI: But your committee met?

MS. MIKVA: My committee met, and we have no action items.

CHAIRMAN LEVI: Thank you. Item 12, the finance committee? Mr. Grey?

MR. GREY: Mr. Chairman, yes. There is one resolution, and that's a protocol for the acceptance and use of private contributions, which was approved by the committee.

M O T I O N

MR. GREY: And we would so move that the board accept that resolution.

MR. FUENTES: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: The motion carries.

The audit committee, Mr. Maddox?

MR. MADDOX: I'm not recalling action items.

CHAIRMAN LEVI: Well, I wouldn't expect you to because I don't, either. But was there anything that required a --

MR. FORTUNO: I don't think there were any action items for the audit committee.

CHAIRMAN LEVI: Don't we have to receive an audit or anything?

MR. FORTUNO: There was a good deal of discussion, but no action items.

CHAIRMAN LEVI: Okay. Maybe some upcoming.

MR. MADDOX: I'm sure there will be.

CHAIRMAN LEVI: Thank you. Is that your complete report?

MR. MADDOX: It is.

CHAIRMAN LEVI: Ops and regs.

MS. CHILES: Is Tom Meites still on the

phone?

CHAIRMAN LEVI: Is Tom Meites on?

MR. MEITES: Yes, I am. I'm hanging on here.

(Laughter.)

MR. MEITES: Since we started, the Cubs have lost, the Sox have lost, the Bulls have lost, and Milwaukee's about to lose. It was long day of televised sports for us Midwesterners. But I'm still here.

CHAIRMAN LEVI: Wait a minute. Say that again slowly?

MR. MEITES: The only action item on the ops and regs committee is the committee's recommendation that the board --

DEAN MINOW: The Cubs lost?

MR. MEITES: Can you hear me? Hello?

CHAIRMAN LEVI: No. We just were digesting the fact that all the teams lost.

MR. MEITES: Oh, I'm moving too fast for you. All right. I've reviewed Midwestern sports. I will now go on to the ops and regs committee.

(Laughter.)

M O T I O N

MR. MEITES: The only action item of the ops and regs committee is the committee's recommendation that the board approve the amendments to 45 CFR Part 1642, as well as related technical amendments to 1609 and 1610, to repeal the prohibition on claiming and collecting and retention of attorney's fees. And I so move.

JUDGE SINGLETON: Second.

CHAIRMAN LEVI: Any discussion?

(No response.)

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Opposed?

(No response.)

CHAIRMAN LEVI: The governance committee?

DEAN MINOW: Mr. Chair, we have two resolutions voted by the committee to be recommended to the board. The first appears on page 49. It's a resolution to establish a board committee self-evaluation protocol, which you may recall was at

the request of the GAO.

CHAIRMAN LEVI: Is that moved?

M O T I O N

JUDGE SINGLETON: So move.

CHAIRMAN LEVI: Second?

MS. MIKVA: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Opposed?

(No response.)

DEAN MINOW: We have a second resolution which is on page 53, similarly voted for recommendation by the committee. It's a resolution establishing a training plan for the board of directors for the calendar year 2010.

M O T I O N

JUDGE SINGLETON: So move.

CHAIRMAN LEVI: Second?

PROFESSOR KECKLER: Second.

CHAIRMAN LEVI: Discussion?

(No response.)

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

DEAN MINOW: There's only one other item, which is to recommend that the audit committee consider whether or not to change its name. The audit committee now has that task. It's not in our committee any more. It's all yours.

MR. MADDOX: Thank you.

CHAIRMAN LEVI: I don't think the board has to do anything with that. Okay. Well, then item --

JUDGE SINGLETON: Not unless the audit committee refuses.

CHAIRMAN LEVI: We're on No. 16, consider and act on resolution expressing the board's appreciation to Pat Batie. Is she here?

DEAN MINOW: Not at this minute.

CHAIRMAN LEVI: For God's sake.

JUDGE SINGLETON: Mr. Chairman --

MR. FORTUNO: Modesty precludes her from being here.

M O T I O N

JUDGE SINGLETON: I move that we table this until she gets back in the room and can fully

appreciate it.

CHAIRMAN LEVI: Well, she better get back in here quickly because this meeting's --

(Laughter.)

CHAIRMAN LEVI: I would like -- we will hold it for a few minutes, and then I would like Mr. Fuentes, actually, to read it.

MR. FUENTES: Thank you.

M O T I O N

DEAN MINOW: Well, could I move that we actually adopt it, and if she comes in the room, we read it?

CHAIRMAN LEVI: That's a great idea.

JUDGE SINGLETON: Okay. That's a good idea.

DEAN MINOW: So I move that we adopt it.

CHAIRMAN LEVI: Second?

JUDGE SINGLETON: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Public comment? Come on up there.

MR. SAUNDERS: That last activity gave me a

little bit of a moment, so I'm not afraid to come up at this very late hour.

My name is Don Saunders. I'm the vice president for civil legal services at the National Legal Aid and Defenders Association. I wanted to just take a moment of your time on the record to congratulate on behalf of NLADA each and every one of you on your confirmation.

NLADA has always been privileged to work as a partner in the quest for equal justice with this board. Your work is so critical and important. We are joined by our partners at the Center for Law and Social Policy. They are counsel to NLADA and the members that we represent in interacting with you and in supporting your work on the Hill.

On behalf of our CEO, Joanne Wallace, Alan Houseman, and Linda Perle, my colleague here, we just wanted to stress our congratulations and say how excited we are to have the opportunity to work with this board as you go forward on what has already been a very exciting agenda. So thank you.

CHAIRMAN LEVI: Thank you very much.

We now have the minutes -- they're being passed out -- from the April 7th meeting. Can we take a quite minute to make sure that in fact the right people are in the right places? And if they are and there aren't any missing words, Sarah, then could we have a motion to approve.

M O T I O N

DEAN MINOW: I move to adopt -- to approve the minutes.

MR. FUENTES: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Mr. Fuentes.

MR. FUENTES: Thank you very much, Mr. Chairman. Thank you for the privilege of presenting this resolution because it was my privilege to raise its suggestion initially. I'm grateful for that, and we're grateful to the young lady who we honor at this time. And she just proved her worthiness of this award by getting the minutes for us.

A special commendation to Patricia D. Batie

in recognition of the outstanding service to the LSC Board:

Whereas, Patricia D. Batie serves the Legal Services Corporation in the capacity of Acting Corporate Secretary, Manager of Board Operations, and FOIA Officer;

Whereas, Ms. Batie has provided outstanding leadership in ensuring that all aspects of the LSC board operations are handled smoothly and professionally; and

Whereas, Ms. Batie's tireless work, unfailing courtesy, and cordial demeanor significantly assisted board members in their efforts to carry out their work on behalf of the Corporation,

Now, therefore, be it resolved that the LSC Board of Directors formally acknowledges and extends its commendation and appreciation to Patricia D. Batie for her years of service to the board.

And I so move.

VOICES: Hear, hear.

(Standing ovation)

MS. BATIE: Thank you for your kindness. I

appreciate it, and it's my privilege.

CHAIRMAN LEVI: Was there any other public comment? Thank you, Pat.

(No response.)

CHAIRMAN LEVI: Consider and act on any new business?

(No response.)

CHAIRMAN LEVI: Can we consider going into a closed session, then?

M O T I O N

DEAN MINOW: I would move we go into closed session.

MR. FUENTES: Second.

MS. MIKVA: Second.

CHAIRMAN LEVI: All in favor?

(A chorus of ayes.)

CHAIRMAN LEVI: Okay. We're in closed session.

(Whereupon, at 4:30 p.m., the board adjourned to executive session.)

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