

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

TELEPHONIC MEETING OF THE
PROMOTION AND PROVISION FOR THE DELIVERY OF
LEGAL SERVICES COMMITTEE

OPEN SESSION

Friday, March 9, 2012

12:02 p.m.

Legal Services Corporation
3333 K Street, N.W.
Washington, D.C. 20007

COMMITTEE MEMBERS PRESENT:

Laurie I. Mikva, Chairperson
Sharon L. Browne
Victor B. Maddox
Julie A. Reiskin
John G. Levi, ex officio

OTHER BOARD MEMBERS PRESENT:

None

STAFF AND PUBLIC PRESENT IN THE CORPORATION'S OFFICES:

James J. Sandman, President

Richard L. Sloane, Special Assistant to the President

Rebecca Fertig, Special Assistant to the President

(by telephone)

Kathleen McNamara, Executive Assistant to the President

Victor M. Fortuno, Vice President for Legal Affairs,

General Counsel, and Corporate Secretary

Katherine Ward, Executive Assistant, Office of Legal

Affairs

Jeffrey E. Schanz, Inspector General

Laurie Tarantowicz, Assistant Inspector General and

Legal Counsel, Office of the Inspector General

Janet LaBella, Director, Office of Program Performance

John C. Meyer, Director, Office of Information

Management

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1 PROCEEDINGS

2 (12:02 p.m.)

3 CHAIRMAN MIKVA: I'm going to go ahead and
4 call to order the meeting of the Committee for the
5 Promotion and Provision for the Delivery of Legal
6 Services.

7 The first item is approval of the agenda. Do
8 I have a motion to approve?

9 MOTION

10 MS. BROWNE: I'll move to approve.

11 MS. REISKIN: Second.

12 CHAIRMAN MIKVA: All in favor?

13 (A chorus of ayes.)

14 CHAIRMAN MIKVA: And then we need approval of
15 the minutes from the January 20, 2012 meeting. Is
16 there a motion to approve?

17 MOTION

18 MS. REISKIN: So moved.

19 MS. BROWNE: Second.

20 CHAIRMAN MIKVA: All in favor?

21 (A chorus of ayes.)

22 CHAIRMAN MIKVA: The next item is review of

1 the committee's charter. This is something that's
2 required or is a part of every committee charter. And
3 that was handed about. Thank you to Janet LaBella, who
4 caught a -- the way it was recorded on the website was
5 problematic. But I think that's been cleaned up on the
6 copies that were handed , that were made available to
7 us.

8 So this kind of also ties in, I think, with
9 the committee members' self-evaluations and the goals
10 for 2012 in the sense that I think one of the issues
11 that came up on the evaluations was a sense that
12 perhaps the Committee needed a better sense of what its
13 mission was and how it could better fulfill that
14 mission.

15 I think probably the best way to relate what
16 this is is to give you some of the comments that were
17 related to me. This was all given to me by John
18 Constance. And he just wrote down some of the
19 comments, obviously, without attributing them.

20 What do you like most about the committee
21 meetings? Panel presentations? Information from LSC
22 grantees? What would you like to see?

1 "A clear agenda with all of -- more discussion
2 by the Committee over its agenda."

3 "We get a bunch of reports; we don't seem to
4 take much action."

5 "Committee minutes and chairs should have
6 input into some of the panels."

7 "Adequate time to discuss program issues."

8 "I'm not sure what the committee focus is."

9 And then areas the Committee should focus on
10 in the future -- just a lot of very different
11 suggestions focused on grantee programs. Creatively do
12 more with less money. Training the grantees on best
13 practices. Explore self-help desks. Explore whether
14 the Reggie Fellowship can be reactivated. And
15 discussion and review of the committee charter. Issues
16 such as quality housing, community collaborations,
17 metrics, desired outcomes, materials, articulate an
18 overall mission, develop consensus how to approach it.

19 So I guess with that in mind, I would ask if
20 anyone has any particular comments on the charter. It
21 talks about whether -- I guess it's so
22 all-encompassing, it's a little hard to --

1 MR. LEVI: I have suggestions for you.

2 CHAIRMAN MIKVA: Okay. I'd love to hear them.

3 MR. LEVI: And I'd love to get Jim's reaction
4 after I say this. Part of, I think, what this
5 Committee is dealing with is what it inherited from the
6 prior board was, in a sense, the P&P meeting was always
7 the panel presentation. Well, our Board was more
8 interested in having presentations beyond, say, one
9 just local grantee visit, which was the P&P meeting of
10 the old board.

11 And now it seems to me we're at the end of a
12 strategic plan and we are about to embark on -- we're
13 about to complete our own. And it strikes me that out
14 of that strategic plan and with Jim's suggestion -- for
15 example, I tried to highlight help desks at two of our
16 board meetings consecutively to give us an opportunity
17 to see what are the best practices, how were they being
18 used, how can we help motivate the field.

19 So you could pick a couple of topics coming
20 out of the strategic plan that have to do with how
21 we're delivering service, how we're promoting service
22 in our areas, our service areas, whether it's looking

1 at best rural delivery systems, or how help desks are
2 used.

3 I would there would be -- out of the strategic
4 plan, maybe with Jim's help, that you could take a
5 couple of topics that you wanted to address each year,
6 particularly on your site visits or on your committee
7 calls, and get to the bottom of a couple of things.
8 And then I think you'll feel like, well, we're
9 introducing grantees that aren't knowledgeable about
10 how help desks are put together to consider them, and
11 we're advancing the ball somewhat.

12 I think that kind of use of committee time
13 would make you feel like, well, we're actually studying
14 something, looking at something, trying to help the
15 field. Don't want to get in the way, but do want to
16 help educate.

17 I don't know what other people's reactions are
18 to that. And then I would be guided by the list, or
19 new things that Jim thinks are particularly topical
20 that would be helpful to LSC headquarters and to the
21 field, and ask your Committee to try to focus on it
22 rather than just being the site visit manager.

1 CHAIRMAN MIKVA: All right.

2 MS. REISKIN: This is Julie. I like that.

3 And I don't know that a panel is always the right way
4 to do that. I think the panels are very important, but
5 I don't know that -- a panel and committee work are
6 two -- a panel to educate the Board and give us all
7 information is different from a committee.

8 I like the idea of picking topics, like
9 picking a couple issues to work on that are related to
10 the promotion and provision. But I also think that
11 whatever those are need to be directly related to the
12 strategic plan, to one of our things that we've put in
13 the strategic plan, like one of -- what keeps coming to
14 my mind is we keep talking about metrics and outcomes.

15 Shouldn't this committee be the one to do
16 something with it? I'm not saying like do any kind of
17 requirement. But we keep saying we don't know what
18 those are when they're not addressed. But then we keep
19 saying they should be. Wouldn't that be something for
20 our Committee? Because that's in our strategic plan.
21 That's in everything we do if that issue comes up.

22 And then we're going to start talking about

1 outcomes. So those are the kinds of things that
2 I -- but I think whatever we do should have a specific
3 outcome and be connected to the plan.

4 MS. BROWNE: This is Sharon, and I agree with
5 what I'm hearing. And I think that really goes
6 hand-in-hand with the purpose of our Committee as it's
7 set up in our charter, which is also to make
8 recommendations to the Board when appropriate. And as
9 far as I know, we really haven't made any
10 recommendations.

11 I think one area we can go besides the
12 strategic plan is the Pro Bono Task Force, which is
13 coming to a conclusion, and hopefully there's going to
14 be a report in the April meeting, board meeting, in
15 D.C. And I think we could take some of the working
16 group information that will come into the report and
17 focus on those different aspects and see what we can do
18 to really have this Committee move that task for its
19 report further into the field.

20 And I also think what we could do as a
21 committee is take a look at how the LSC website is
22 being best utilized to make sure that the best

1 practices are going forward, that issues that are
2 hampering some of the best practices are being
3 addressed, and really make this into more of a
4 proactive committee rather than just an information
5 committee.

6 And with that mind, I think then we would be
7 really meeting the purposes and our duties and
8 responsibilities, according to our charter.

9 MR. LEVI: I like those suggestions, too,
10 Sharon. I didn't mean to -- I think helping with the
11 implementation of parts of the Pro Bono Task Force,
12 this is the right committee to be -- because promotion
13 is part of the charter. And that would seem to be
14 useful, and I agree with that.

15 CHAIRMAN MIKVA: You guys are all great.
16 Exactly the kinds of things that President Sandman and
17 Janet and I were talking about in talking about this
18 meeting. And I guess the only thing I would also say
19 is that I think part of what we need to be sensitive to
20 is our role vis-a-vis management because a lot of these
21 are management functions. And we certainly don't want
22 to be interfering with that.

1 So one suggestion that Jim Sandman had was
2 that they could help form a list of stuff
3 that -- possible topics. Obviously, we could go
4 outside that. But that's perhaps what they felt they
5 were in a position to give a presentation on or
6 direction on, and then that way work with them to come
7 up with stuff that we should be looking at.

8 PRESIDENT SANDMAN: This is Jim --

9 MS. REISKIN: To include them -- I'm sorry.
10 You cut out.

11 CHAIRMAN MIKVA: I'm sorry?

12 MS. REISKIN: You said we'd go to someone for
13 topics, and it cut out.

14 CHAIRMAN MIKVA: Oh, the management would help
15 us come up with topics.

16 MS. REISKIN: Oh, okay.

17 CHAIRMAN MIKVA: And I think Jim was about to
18 talk.

19 PRESIDENT SANDMAN: Yes. Laurie captured my
20 suggestion very well. All of the core responsibilities
21 of this committee and the charter are closely related
22 to management's role in promoting and ensuring

1 high-quality legal services.

2 So what I'd propose is that management be
3 responsible on a regular, deliberate, ongoing basis for
4 identifying potential topics for the committee's
5 agenda, focusing on matters that arise out of the
6 strategic plan or out of the report of the Pro Bono
7 Task Force, and that in management's view are of
8 current relevance, and where staff has identified a
9 particular need for sharing best practices with the
10 field.

11 So we would take the responsibility for
12 putting before the Committee on a regular basis a
13 proposed menu of topics, and then let the Committee
14 choose or add items as the Committee suggests. But
15 we'd be able to use our knowledge from the field about
16 what seems to be most pressing currently and most
17 related to the strategic plan.

18 MS. REISKIN: But there are areas where you
19 would -- I think there may be areas, too, where you
20 feel like some sort of overarching, broad
21 recommendation might be needed, and you'd like an aired
22 debate. And wouldn't this be a forum where that could

1 be aired, debated, and discussed?

2 PRESIDENT SANDMAN: Certainly, yes.

3 MS. REISKIN: If it's something that you guys
4 were looking for.

5 PRESIDENT SANDMAN: Yes.

6 CHAIRMAN MIKVA: Jim and Janet shared with
7 me -- these are just possible topics, and I think you
8 all pointed out that this is before we've completed the
9 strategic plan or the Pro Bono Task Force, and there's
10 certainly stuff that's going to come out of that.

11 But just it's some suggestions for geographic
12 information system matching as a tool for service
13 delivery assessment; strategic planning among the
14 grantees in times of funding cutbacks; succession
15 planning and leadership development; one that I really
16 hope we get to look at, which is PAI best practices and
17 model programs; client feedback and its use; tape
18 highlights; grantee use of technology; resource
19 development best practices; recruitment and retention
20 of quality advocacy staff; grantee use of data.

21 Obviously, there's a lot that we could be
22 looking at. I don't think we need to pick any right

1 now. I guess I would ask whether people think it would
2 be better to pick a bunch out in advance or pick them
3 out as the meetings come up so that we can be more
4 responsive to things that change over time.

5 MS. REISKIN: Laurie, I kind of liked what
6 John said at the beginning, which is, I think that we
7 should have something that we're actually working on.
8 So I wouldn't want to say, well, let's just see what
9 comes up. I'd like to maybe let management come to us
10 with their top five things and then we'd maybe pick a
11 few of them, and then maybe have our work divided into
12 that, and then also have a section where we can be
13 ongoing responsive to emerging issues.

14 But I think if we just go with the flow, we'll
15 continue to just be a committee that receives reports.

16 And I guess I'm interested in hearing other people's
17 reaction about how do we -- because I think the panels
18 are very good for the whole Board to hear, and I think
19 that it's good for the field to be able to present. I
20 think there's a prestige with being called to present
21 to us, and there's a whole bunch of really good things
22 about the panels.

1 But there was all this, then, that we have not
2 worked as a committee. We haven't done anything as a
3 committee. We haven't done anything as a committee.
4 So I guess I'd like other people's thoughts or
5 responses about how do we not interfere with the very
6 good things that the panels have done, but also start
7 doing some work as a committee.

8 MR. LEVI: Well, as you see with board
9 meetings, I'm trying to create the space to have the
10 panels, anyway, because --

11 CHAIRMAN MIKVA: Right.

12 MR. LEVI: And I think if you have a list,
13 certainly we can be flexible enough that if we go to a
14 particular part of the country where they have really
15 something that your committee wants to see or hear
16 about, we can make adjustments.

17 But I think if you could come up with -- and
18 maybe it's premature here in the sense that you're
19 about to get the pro bono report; you're about to get
20 the strategic plan. And then maybe you not long after
21 that ought to have a telephonic meeting with management
22 and pick a couple of things that you want to work on

1 emanating from those.

2 It seems doable and important. And figure out
3 between now and the next week or so with Jim -- I think
4 he had suggested Peter Edelman is awfully good on
5 access to justice -- as some part of the committee's
6 report or meeting.

7 But you might want to spend your meeting in
8 Washington thinking about where you would go. I think
9 that would -- for the coming year, and maybe that would
10 be -- I think it's election season, but we ought to
11 assume irrespective of what were to happen that we're
12 going to be in office another 24 months or so, 20
13 months, and that therefore you might want to come up
14 with at least a plan that takes you out that far in
15 terms of what you might want to look at. And then we
16 can help you build thoughtful meetings in the parts of
17 the country that we go to.

18 CHAIRMAN MIKVA: John, this is Laurie. I just
19 have a question about the timing. Now, are we going to
20 have the -- I mean, we're not going to have a strategic
21 plan by April?

22 MR. LEVI: No. You are -- yes, you are going

1 to have a strategic plan by April if I have
2 anything -- Jim, are we going to have a strategic plan
3 by April?

4 PRESIDENT SANDMAN: There should be a draft of
5 something for the Board to begin to deliberate about in
6 October -- or, I'm sorry, in April. In April.

7 CHAIRMAN MIKVA: Okay. And we will get the
8 pro bono report.

9 MS. BROWNE: That's the idea.

10 MR. LEVI: But I think that's going to
11 be -- so I'm saying you can have Peter Edelman. You
12 could begin to have your discussion.

13 CHAIRMAN MIKVA: Right.

14 MR. LEVI: But you might want to have a
15 telephonic meeting a few weeks after the April meeting
16 to sort of nail -- yes. That's what I was proposing.

17 Now, I also think it's quite important here
18 that we do something like this for this committee
19 because clearly, the frustration that you guys are
20 feeling, I think the old board felt, too, as it related
21 to this committee.

22 And so I think if we could leave in our wake

1 and create a structure that we're comfortable with that
2 we could have working well and hand off, part of my own
3 effort here in working with this Board is to bring it
4 to sort of a crisp standard of what I understand to be
5 good working not-for-profit board work. So this would
6 be a part of that.

7 Because I don't want to have committees
8 feeling like we are wandering around, don't know what
9 we're doing. That's always actually dangerous for
10 boards, and it makes for board members who feel like
11 they're not being well-utilized. And I don't think
12 either of those is a good value.

13 MS. BROWNE: This is Sharon. I think you make
14 some really good points, John. And I think what both
15 Laurie and Jim mentioned is that this is a cooperative
16 effort. This Committee should cooperate and work with
17 management.

18 So what I'd like to see and hear are the
19 recommendations by management on the specific issues we
20 should delve into in depth, and maybe come up with a
21 recommendation. And if that's something that we should
22 wait until April, then we should wait until April. But

1 I think we really do need to work with Jim and
2 management and come up with our topics for an in-depth
3 study.

4 CHAIRMAN MIKVA: The list that I read,
5 actually that was from management. But I agree, it's a
6 little long, and I don't believe it's prioritized. I
7 think that would be helpful. But that was actually a
8 list of possible topics.

9 MS. REISKIN: Once we have gotten that, at
10 what point is it appropriate to get public input on
11 this, or is that not the right place? Like are there
12 areas where the field is asking for something?

13 CHAIRMAN MIKVA: Well, I think we'd have
14 to -- and I suppose if anyone on the Committee knew
15 about an area. But otherwise, I think we rely on
16 management to know if there's an area, and that they
17 would bring it to our attention.

18 MR. LEVI: Well, your meeting will be an open
19 meeting, and at the end of it there will be a time for
20 public comment.

21 MS. REISKIN: Okay. So that would be the time
22 for them to weigh in, then.

1 MR. LEVI: The other thing I just -- a
2 recommendation is sometimes less is more. Don't bite
3 off more than you can chew, and pick a couple of topics
4 you feel, with management, that you can really do well
5 and help advance the cause.

6 That sounds to me like a process by which you
7 really could remake the Committee and end up feeling
8 like you're performing a useful service. But if you
9 take on everything, you may drown and get nothing done.

10 CHAIRMAN MIKVA: Right.

11 MS. REISKIN: When management comments, I'd
12 like for management to comment on the whole issue of
13 metrics and outcomes because I feel that's something
14 that we just keep -- I mean, it's really, really a
15 tough topic because I can't even think about it without
16 my mind going in 20 directions about, well, what about
17 this and what about that?

18 But I just want management's thoughts on if
19 it's something they think we should deal with. It's so
20 wide. It's what areas of it do they feel like help is
21 needed, or just their thoughts, I guess. Jim, does
22 that make sense to you?

1 PRESIDENT SANDMAN: Yes. We'd be happy to do
2 that.

3 MS. REISKIN: Because it comes up in
4 everything we do, and it's something I know makes us
5 feel very nervous. But I think not talking about it
6 and not dealing with it isn't really helpful.

7 MR. MADDOX: This is Vic Maddox. I just want
8 to throw in a couple of thoughts. First of all, I've
9 agreed with just about everything I've heard.

10 A couple of other things. On the core
11 responsibilities of the Committee, I have always
12 wondered how we go about fulfilling the second
13 responsibility, which is to recommend methods for
14 achieving the most efficient and effective delivery of
15 legal services. That seems like it's a core
16 responsibility of the various board responsibilities,
17 and I don't know that we've ever really focused on
18 that.

19 Actually, as John says, to focus on self-help,
20 help desk, and technology would be a natural component
21 of that part of our responsibility. I'd like to see us
22 perhaps give more attention to that whole concept of

1 efficiency and effective delivery.

2 It seems like every time we go to a meeting
3 around the country, we hear a presentation that, at
4 least for me, raises serious questions about why our
5 grantees are explaining what they're doing and how it's
6 effective. I remember from Chicago hearing the report
7 about -- is there somebody who's making noise? I'm
8 sorry. I'm getting a lot of feedback.

9 CHAIRMAN MIKVA: I'm getting the feedback,
10 too. It sounds like somebody's on a cell phone.

11 MR. MADDOX: Yes. Anyway, at the Chicago
12 meeting, for instance, we had this report about the
13 Prairie States, I believe, group that was basically
14 somehow, in some way I never really understood, deeply
15 involved in monitoring the ongoing daily activities of
16 the East St. Louis school system. And I for the life
17 of me could not understand how that was effective or
18 efficient, or even consistent with the whole concept of
19 improving access to justice.

20 Here in Louisville, the local grantee is suing
21 the Jefferson County School District in a class action
22 before the Department of Education in a way that, to

1 me, skirts the whole spirit of our Act, which is to not
2 do class action litigation. They justify it because
3 it's not litigation; it's only an administrative
4 complaint.

5 And it seems to me that whatever money they
6 are spending on that lawsuit, which is also funded by a
7 separate nonprofit, the Southern Poverty Legal Center,
8 all of that money is money that isn't being spent on
9 helping people with access to the legal system, and
10 divorces, and foreclosures, and child protective
11 orders, and the like.

12 And as I say, every time we go around the
13 country, I hear at least one example where it seems
14 like the grantee is doing things that aren't consistent
15 with our core mission. So I'd like us to focus on
16 that, if we could.

17 I also don't really understand what our core
18 mission No. 4 is, to consider addressing policy issues
19 regarding grantee audits. And as a co-chair of the
20 Task Force on Fiscal Oversight and as chairman of the
21 Audit Committee, it seems like I should understand what
22 that responsibility is. But I don't. So maybe Jim or

1 Janet or somebody can help us understand, really, what
2 that function of our committee is.

3 So those are just some things that I have in
4 mind. And I agree with everything else that I think
5 we've said. I would like to see the Committee become
6 more of an active committee rather than a passive one.

7 Personally, I find the panel presentations to
8 provide too much presentation and far too little
9 opportunity for interaction. For me, I've always found
10 that the opportunity to have a dialogue with people who
11 are out there in the field is the most valuable aspect.

12 And it seems like if our panel presenters
13 maybe can give us their materials in writing somehow,
14 and then give us an executive summary and let us
15 interact with them more and have more of a discussion,
16 I would find that personally a lot more valuable than
17 having a chance to maybe ask one question and not have
18 a follow-up.

19 So those are just some thoughts, and I
20 appreciate all of the good and solid work that's being
21 done.

22 CHAIRMAN MIKVA: I just have one thought. I

1 agree with you, Vic, that No. 2 seems like definitely
2 an area that this Committee could and should be right
3 in the middle of.

4 I'm a little concerned to the extent that -- I
5 mean, I don't think the Committee should be looking at
6 any individual grantee and assessing their efficiency
7 or effectiveness. I don't know if that's what you're
8 suggesting, but that, I think, would not be the role of
9 this Committee.

10 MR. MADDUX: That's not -- I'm sorry. I'm
11 sorry, I didn't mean to interrupt, Laurie. I'm not
12 really suggesting we look at individual grantees. I
13 guess my larger point was that it seems like every
14 grantee we hear from, there's some element of their
15 program that I just wonder about.

16 I wonder about the effective, efficient use of
17 the funds that we do give them. So it just seems like
18 maybe, as part of our examination and consideration of
19 metrics, that would be one way of considering that.

20 Another thing that I think I've mentioned
21 before -- I'm never really sure where the appropriate
22 place to do it is -- I always wonder about the 10 or 12

1 percent of our caseload that consists of what's called
2 "income maintenance," and to what extent that involves
3 doing the work of other government agencies.

4 And we know that the funding has gone down.
5 The trend line is down. Ben Bernanke has basically
6 guaranteed that the IOLTA funding is going to remain
7 flat for the next two years, at best. And so we don't
8 really have any prospect of significantly increasing
9 that kind of funding.

10 And I just wonder if we could offload 5
11 percent of that caseload to the Department of Housing
12 and Urban Development, or the Department of Health and
13 Human Services, or the IRS, which is a
14 multi-billion-dollar budget.

15 So if I were in the private sector, I'd be
16 looking at ways to improve my efficiency of my legal
17 department by 5 percent. And that might be a good way
18 to do it. So Laurie, I hope I didn't disagree with
19 you. I think --

20 CHAIRMAN MIKVA: No, no. I just want to say I
21 don't think you did. You clarified. That was good.

22 MR. MADDOX: Okay. I'm done.

1 MS. REISKIN: This is Julie. I just think we
2 should maybe -- there is the promotion and provision.
3 But then in terms of efficiency, there's another issue
4 that isn't -- I agree with Vic, although I think class
5 actions are totally cool. But I know we're not going
6 there.

7 (Laughter.)

8 MS. REISKIN: That's the way to really be
9 efficient. But again, not going there. So I think
10 that there are a lot of things that we are doing that
11 certainly don't need to be -- I mean, we do application
12 assistance using volunteers.

13 And part of what Victor's talking about, about
14 engaging our clients, would it be a better use of our
15 time and money to engage our clients to do application
16 assistance, like filling out tax forms, is volunteers
17 rather than having lawyers do that. Those are things I
18 think we need to talk about without getting too
19 directive, and at least giving them some ideas of that
20 kind of stuff.

21 MS. BROWNE: This is Sharon. I think -- and I
22 don't want to put words into Vic's mouth -- but I think

1 what he's talking about is that there are a lot of
2 federal agencies that have the resources to do the type
3 of work that some of our LSC grantees are doing.

4 And it might be worthwhile at least exploring
5 with management how to move some of these activities,
6 such as tax preparation or an SSI application, over to
7 these other federal agencies that actually have the
8 expertise and also have the resources to do so. That
9 would free up some of our grantees to do more of the
10 civil legal services that are their primary mission,
11 such as domestic relations and other types of activity.

12 MR. MADDUX: Yes. That's exactly what I was
13 suggesting, Sharon. I don't know how feasible it is;
14 it always -- every time I look at our facts book, and I
15 see our distribution of our case load, and I see 10 or
16 12 percent, 70,000 cases, I think, wow. These don't
17 sound like problems of access to justice. This doesn't
18 sound like somebody who's been forced to walk into a
19 courtroom without a lawyer. This sounds like somebody
20 that doesn't understand the website of another agency.

21 MS. BROWNE: I agree with you, Vic, because I
22 think that is a place where we could really provide

1 some at least assuring of information with other
2 federal agencies and work with other federal agencies.

3 I think that would be very effective.

4 MR. LEVI: Part of the answer, I think, with
5 due respect to Mr. Maddox, sometimes we have to
6 remember our grantees are not 100 percent funded by us.

7 They gets funds, other kinds of community funds, and
8 use them for other purposes that don't violate the
9 restrictions. I don't know. That's a complicated
10 arena, and I don't know how much, if anything, we could
11 do about that.

12 CHAIRMAN MIKVA: I think they also sometimes
13 get funds from these federal agencies to do exactly
14 what they're doing.

15 MR. LEVI: Yes. So I have no idea whether,
16 for example -- I mean, it's a question you could
17 find -- whether that agency had, in fact, a grant or
18 whatever that was separately designated for them to put
19 the monitors there. Just hypothetically. I don't know
20 the answer to that, Vic.

21 MR. MADDOX: Yes. I don't, either, John. I
22 just --

1 MR. LEVI: I know. I understand. And look,
2 there's no question that part of what's happened here
3 is there -- maybe it's because people are so busy. But
4 unless they go to an NLADA conference and happen to end
5 up in the same room, I don't know that they get much
6 opportunity or how they work to share information that
7 much.

8 Now, maybe our program counsel end up doing
9 that, and Jim may have ideas of that. I guess in some
10 respects it's somewhat haphazard, isn't it? As to the
11 best --

12 PRESIDENT SANDMAN: This is Jim. It's a
13 combination of things. It definitely happens through
14 the program counsel and through the knowledge that we
15 have here on a centralized basis of what's going on
16 where. And there are the Equal Justice Conference, and
17 the NLADA annual meeting every year, and other
18 resources like the Management Information Exchange.

19 So it's not as if each program is functioning
20 in isolation without knowledge of what others are
21 doing. Could we do a better job of communicating best
22 practices and being more targeted and proactive about

1 it? Yes, we could.

2 MR. LEVI: And that's one of the things we are
3 trying to do. As a board, I think we are trying to do
4 that, and I think you all are trying to do that. And I
5 think we're all sensing some of the frustration of
6 learning how, in a sense, little of that may have been
7 done, or less than we think is satisfactory has been
8 done.

9 And we want to see how we can help advance
10 that. And we're all in agreement on it.

11 PRESIDENT SANDMAN: I should also mention that
12 the program directors do get together regionally on a
13 regular basis, typically at least twice a year. And
14 there's a lot of information exchange that goes on at
15 those meetings.

16 MS. LABELLA: Correct. And also -- this is
17 Janet LaBella -- there's an abundance of listservs out
18 there on substantive law areas. So, for example,
19 there's a housing law listserv for the housing law
20 specialists around the country, and practically all of
21 our grantees participate, so that there's a sharing
22 across the board in that sense of those topics.

1 So they're really not out there in utter
2 isolation. However, I think it is important for us to
3 know how much of a role we can play with sharing best
4 practices and facilitating cross-fertilization of good
5 ideas.

6 MS. BROWNE: This is Sharon. What I'm hearing
7 is maybe not quite an answer that I was looking for, is
8 that if other federal agencies have resources,
9 shouldn't our grantees by referring these types of
10 questions and people to the other federal agencies
11 rather than our grantees trying to act as the agent
12 navigator? Yes.

13 MS. REISKIN: Well, Sharon, that's the age-old
14 question that all of us who do advocacy in the poverty
15 arena have dealt with forever, is these agencies don't
16 work, and they're set up, a lot of times, it feels
17 like, to keep people out, not to let people in.

18 MS. BROWNE: Okay. Well, that's exactly the
19 question. Why are we taking on the responsibility --

20 MS. REISKIN: We can fix that.

21 MS. BROWNE: -- of federal agencies that are
22 actually the experts in trying to facilitate their core

1 missions? It seems to me we keep grabbing more and
2 more and more of what other federal agencies should be
3 doing.

4 And what we should be able to do is make a
5 bridge and telling people that come to some of our
6 grantees that, you need to go talk to Social Security.

7 You need to go talk to some other federal agency.
8 They're the ones that handle applications. If you have
9 a problem and your application is denied, then come
10 back to us.

11 CHAIRMAN MIKVA: Sharon, I really --

12 MS. BROWNE: We shouldn't be filling out those
13 applications.

14 CHAIRMAN MIKVA: I really think that from my
15 experience, it's exactly the latter, that they
16 generally come to legal aid when they've been denied at
17 least once, maybe twice.

18 MS. BROWNE: Yes. Legal aid won't touch them.

19 Legal aid doesn't do applications. I mean, we just
20 set up a whole organization to do applications because
21 legal aid doesn't do that. They do applications on
22 like tax forms, and I don't know why they do that. But

1 the barriers at these other agencies -- it's not like
2 Social Security is going to help someone fill out an
3 application.

4 And so if they are helping people fill out
5 applications, I don't know. These agencies are the
6 barriers, and part of why we haven't been able to
7 address those barriers is because of the restrictions.

8 CHAIRMAN MIKVA: I think we're getting a
9 little far afield here, guys.

10 So I think there's some consensus for at least
11 perhaps trying to come up with a narrowed-down list of
12 topics at the April meeting, but perhaps to be more
13 completely decided upon in a follow-up phone call,
14 about things that we want to address, a limited number
15 of things that we will try and actually make some
16 progress on; and that management is going to help come
17 up with that list and wait to address the topics.

18 So there's still a question whether anybody
19 would propose any changes, amendments, or whatever to
20 the charter. Vic asked about the grantee audits; I'm a
21 little confused there, too, other than I think it's all
22 part of the clients monitoring that LSC does until it

1 gives us the mission of policy considerations in terms
2 of monitoring.

3 MS. REISKIN: Was that put in there before we
4 had an Audit Committee? I know we talked at another
5 committee meeting recently -- I think it was Ops and
6 Regs -- that sometimes it's okay to have a little
7 duplication. I don't know if this is one of those
8 places.

9 But the date on here -- I'm horrible with
10 dates. It's July 30, 2010, and I don't remember -- I
11 think the Audit Committee started in November of 2010.
12 But I could be wrong.

13 MR. MADDOX: It started in 2008, Julie.

14 MS. REISKIN: Oh, all right. I was very
15 wrong, then.

16 PRESIDENT SANDMAN: This is Jim Sandman.

17 MR. MADDOX: But you're right.

18 PRESIDENT SANDMAN: This is Jim Sandman. I
19 wasn't here when this was drafted. But my reading of
20 this is that audits is not being used in the technical
21 sense here. It's being used to refer to oversight more
22 broadly, and like what OPP and OCE do in overseeing

1 programs. And Vic Fortuno is agreeing with that.

2 MR. SCHANZ: The IG is agreeing with it also.

3 As I read this, and I wasn't involved in the
4 formulation of this, but I think it's an opportunity
5 for best practices, and taking a look at something that
6 is systemic across the universe of grantees and being
7 able to say something like, this is a good practice.

8 One example would be -- I'm just throwing
9 things out here -- an audit committee of the Board
10 taking a look at some of the financial statements of
11 the grantee, and being possibly engaged in reconciling
12 some of the checks. That would be one avenue to help
13 preclude opportunity for fraud.

14 So that's how I would read that as it is. And
15 I agree with you, Julie. There is some duplication in
16 some of the charters. That's because I don't think
17 anybody's really stepped back and looked at them in
18 toto at one point in time.

19 CHAIRMAN MIKVA: Thank you, Mr. Inspector
20 General.

21 So it's I guess back to has anybody got any
22 particular changes to the charter? Or perhaps it's

1 something people could think about as we redefine the
2 work of the Committee. And maybe we can come back to
3 that at a later time.

4 The next two items I don't think there's --
5 discussion of a videotaping presentation. I'd just
6 point out that oftentimes these are at hotels that have
7 restrictions, and that we would have to have them do
8 the videotaping, which could be quite expensive. I
9 suppose it's about the issue of whether watching a
10 panel presentation of five heads would be very
11 interesting.

12 But I think that there is some notion that we
13 should try and think about preserving some of the
14 information that we gather in some way or another.
15 Does anybody have any ideas or suggestions?

16 MS. REISKIN: Could we have more robust notes,
17 or post the presentations on the website?

18 PRESIDENT SANDMAN: This is --

19 MR. LEVI: Where are we in the agenda?

20 CHAIRMAN MIKVA: We're on No. 5, discussion of
21 videotaping.

22 MR. LEVI: Okay. I think that having some of

1 the panels videotaped and preserved, I think
2 selectively, some of the presentations have been really
3 fantastic and you would have loved to have been able to
4 put them online for people to see. Again, it's a part
5 of telling grantees, here's something you might want to
6 know, and you can look into it.

7 PRESIDENT SANDMAN: This is --

8 MR. LEVI: I was thinking it's not to make
9 sure that people had got their hair parted.

10 PRESIDENT SANDMAN: This is Jim. We're
11 looking into alternatives for recording and making
12 available presentations to board committees -- all of
13 them, not just this one -- and at board members that
14 are likely to be of significant interest.

15 The alternatives would include audio
16 recordings, audio combined with presentation materials,
17 video, or maybe just posting materials that are
18 distributed. Some presentations are going to be more
19 conducive to one medium than another. Some logistics
20 are more complicated than others. We'd have to look at
21 the cost.

22 My suggestion would be that as a part of

1 planning for every committee and board meeting, that
2 LSC staff review each agenda item and discuss with the
3 committee chair or the board chair which items might be
4 appropriate for some form of recording, and then for
5 those identified as appropriate, prepare a
6 recommendation for the form of recording that would be
7 best. So we could take this up on an item-by-item
8 basis rather than trying to adopt any one-size-fits-all
9 approach.

10 CHAIRMAN MIKVA: Makes sense to me.

11 MS. BROWNE: I agree.

12 PRESIDENT SANDMAN: Our meetings are currently
13 audio recorded, and we do have verbatim transcripts
14 available. So we've already got a start, although I
15 don't know that we've made the use of those things that
16 we might have been able to make.

17 MR. FORTUNO: The transcripts are posted
18 online.

19 MS. REISKIN: Are those available free?

20 PRESIDENT SANDMAN: Pardon?

21 MS. REISKIN: Do people have to pay for the
22 transcripts, or are those available free to anyone who

1 asks?

2 PRESIDENT SANDMAN: The transcripts, the
3 verbatim transcripts, are posted on our website. So
4 they're available to --

5 MS. REISKIN: Oh, okay. So they're free?

6 PRESIDENT SANDMAN: They're available to the
7 public for free. They're not the easiest things to
8 wade through. If we were to check our web statistics,
9 I don't suspect we'd find many people spending a lot of
10 time on those pages.

11 CHAIRMAN MIKVA: And I don't know if this is
12 really good here, but the chair brought this up as
13 well, which is what's being done or what are some ideas
14 for the best practices portion of the website? Is that
15 undergoing -- I guess I thought that that was being
16 looked at for new life.

17 PRESIDENT SANDMAN: Yes, it is. Elizabeth
18 Arledge, our new communications specialist, is looking
19 at that. And when we have a new media relations person
20 to fill Steve Barr's position, it will definitely be on
21 their agenda as will. But we're looking at making the
22 best practices information that we have collected and

1 that's currently available on the website more
2 accessible and updating it.

3 CHAIRMAN MIKVA: Okay. Thanks.

4 No. 6. After talking with the President, I
5 think everyone remembers this. Well, grantees have
6 requested this in several ways and over the course of
7 several visits, including a very well-articulated plea
8 mostly recently at the meeting.

9 But there's problems with peer review -- this
10 is facilitating grantee staff to participate in peer
11 review visits -- that at this point it
12 really -- grantees, both legally and ethically, really
13 cannot be part of the oversight team, and that after
14 that, there's really no funding for visits; but that
15 management will try and keep an eye out to matches and
16 suggest that programs perhaps look at if they're having
17 problems with intake or technology issues that they
18 could be referred to another program, and that maybe as
19 far as actually help fund some of the visits, that
20 might be something that, when we have all this
21 Development Committee funding, have outside funding,
22 that that's something that it could help fund.

1 (Dog barking loudly in background.)

2 CHAIRMAN MIKVA: Does anybody have anything
3 else to add to that?

4 (No response.)

5 CHAIRMAN MIKVA: So, then, public comment?

6 (No response.)

7 CHAIRMAN MIKVA: Consider and act on other
8 business?

9 (No response.)

10 CHAIRMAN MIKVA: I would entertain a motion to
11 adjourn.

12 M O T I O N

13 MS. REISKIN: Move to adjourn.

14 MR. MADDOX: Second.

15 CHAIRMAN MIKVA: All in favor?

16 (A chorus of ayes.)

17 CHAIRMAN MIKVA: Thank you. I will see you
18 all in April.

19 (Whereupon, at 12:57 p.m., the committee was
20 adjourned.)

21 ● * * * *

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