

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS

MEETING OF THE GOVERNANCE  
AND PERFORMANCE REVIEW COMMITTEE

OPEN SESSION

Friday, January 29, 2016

6:13 p.m.

The Mills House Wyndham Grand Hotel  
115 Meeting Street  
Charleston, South Carolina 29401

COMMITTEE MEMBERS PRESENT:

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

OTHER BOARD MEMBERS PRESENT:

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

## STAFF AND PUBLIC PRESENT:

James J. Sandman, President

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

Lynn Jennings, Vice President for Grants Management

Rebecca Fertig Cohen, Chief of Staff

Mayealie Adams, Special Assistant to the President  
for the Board

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

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

Wendy Rhein, Chief Development Officer

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

Jeffrey E. Schanz, Inspector General

Joel Gallay, Special Counsel to the Inspector  
General, Office of the Inspector General

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

Daniel O'Rourke, Assistant Inspector General for  
Investigations, Office of the Inspector General

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

Frank B. Strickland, Non-Director Member,  
Institutional Advancement Committee

## STAFF AND PUBLIC PRESENT (Continued):

Allan J. Tanenbaum, Non-Director Member, Finance  
Committee

Andrea Loney, Executive Director, South Carolina  
Legal Services

Leslie Fisk, South Carolina Legal Services

Adam Protheroe, South Carolina Legal Services

Gerald Jones, South Carolina Legal Services

Matthew Billingsley, South Carolina Legal Services

Rusty Infinger, South Carolina Legal Services

Rita Roache, South Carolina Legal Services

Stephanie van der Horst, South Carolina Legal  
Services

Juanita F. Middleton, South Carolina Legal Services

Jamie L. Bell, South Carolina Legal Services

Angela Myers, South Carolina Legal Services

Kimaka Nichols Graham, South Carolina Legal Services

Mark Fessler, South Carolina Legal Services

Kirby Mitchell, South Carolina Legal Services

Sheila Thomas, South Carolina Legal Services

Don Saunders, National Legal Aid and Defenders

Association (NLADA)

Terry Brooks, American Bar Association Standing  
Committee on Legal Aid and Indigent Defendants  
(SCLAID)

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## 1                    E V E N I N G   S E S S I O N

2                                    (6:13 p.m.)

3                    CHAIRMAN MINOW: Okay. I call to order a  
4 meeting of the Governance and Performance Review  
5 Committee. We are an open session, and anyone who's  
6 able to sit down and be part of the meeting -- Robert  
7 Grey and Carol Bergman. That's wonderful.

8                    I'd entertain a motion to approve the agenda.

9                                    M O T I O N

10                    MS. REISKIN: So moved.

11                    MR. KECKLER: Second.

12                    CHAIRMAN MINOW: All in favor?

13                                    (A chorus of ayes.)

14                    CHAIRMAN MINOW: Approval of the minutes of  
15 our open session.

16                                    M O T I O N

17                    MR. KECKLER: So moved.

18                    MS. REISKIN: Second.

19                    CHAIRMAN MINOW: All in favor?

20                                    (A chorus of ayes.)

21                    CHAIRMAN MINOW: Okay. So now our first topic  
22 is board and committee evaluations. I want to say

1 thank you to Carol for helping us do this. I think the  
2 turnout or return rate is really high. I found it very  
3 instructive, both as a committee chair and a board  
4 member, to read the comments of our fellow board  
5 members.

6 I did see one overall question for us to  
7 consider, and it would belong in this committee, which  
8 is, there was one comment about whether board members  
9 could contribute to the design of the board evaluation  
10 form itself.

11 And I see no reason why not, and therefore I  
12 would put it on our agenda for the future. And I  
13 recognize Julie.

14 MS. REISKIN: My understanding is that we were  
15 given that offer, that we were told that if we wanted  
16 to, we could have emailed Carol from the last time.

17 CHAIRMAN MINOW: True.

18 MS. REISKIN: And I think we have made some  
19 changes. I remember asking for -- we asked to have it  
20 be fillable, and we have made some changes along the  
21 way.

22 CHAIRMAN MINOW: We have, and so maybe we

1 don't need a board agenda item. Maybe I can simply say  
2 any member of the board who has a suggestion, please  
3 share it with me and Carol, and we can proceed that  
4 way.

5           Anyone have a further thought on that?

6           (No response.)

7           CHAIRMAN MINOW: Great. Then in terms of  
8 other comments, I think there were again, in the  
9 overall level, comments about time, that we don't have  
10 enough time. Harry made the comment again today.

11           And one question, I guess, that has come up in  
12 the past, and I would myself raise it again, sometimes  
13 we have panels -- particularly on performance, but I  
14 would include even when we talk about the judiciary and  
15 access to justice -- where if we could get some  
16 materials in writing ahead of time, we might have more  
17 time for Q&A.

18           That's a thought that I share. I don't know  
19 if others have thoughts about that, how we might open  
20 up more time to take the benefit of our being together.

21           MR. LEVI: I don't know if it will open up  
22 more time, but it might inform -- so local grantees

1 could potentially send out, as a part of the board book  
2 or other -- some of their information. That would be  
3 helpful.

4 CHAIRMAN MINOW: Yes. If they're developing  
5 PowerPoints anyway, if we read them ahead of time, they  
6 wouldn't need to spend as much time talking, and then  
7 we could have more time for Q&A. That's a thought.

8 If we do further panels at access to justice  
9 or further panels about best practices of various  
10 grantees, I would invite the board to talk about what  
11 might be new topics that people would like to hear  
12 about so that we could accomplish, I think, what are  
13 multiple goals.

14 We're trying in every visit to help to summon  
15 the attention and interest of the local community, to  
16 invite the sharing of best practices, frankly, among  
17 the justices as well as among the grantees. But we  
18 also are meeting ourselves. And so how we can advance  
19 our own understanding I think is a genuine question.

20 Mr. Grey?

21 MR. GREY: Madam Chairman, it might be  
22 interesting to -- we have pretty siloed discussions



1 from our panels. It might be interesting to have a  
2 multidisciplinary panel from time to time to change the  
3 metrics on how we receive and digest and react to  
4 information, which at times might shorten the session  
5 but add a different richness to the conversation. So  
6 it might be something to consider.

7 CHAIRMAN MINOW: Yes. Thank you. And I share  
8 that with our chair and our president.

9 Harry?

10 MR. KORRELL: Thank you. Yes. I am one who's  
11 raised the question about the access to justice  
12 discussion that we have, or the importance of access to  
13 justice, with the judiciary. I do appreciate that it  
14 serves more than one purpose. And Martha, as you  
15 indicated, it's nice to see the judges talking about  
16 what they're doing and comparing their notes and the  
17 like.

18 Maybe one topic might be just to ask judges  
19 and courts what they are doing to make their courts one  
20 accessible. One of the things, it is along the lines  
21 of the issue that Vic has raised and others have raised  
22 about, if the IRS is creating these problems or if the

1 VA is creating these problems, why aren't they fixing  
2 it?

3 CHAIRMAN MINOW: Absolutely. That's part of  
4 it.

5 MR. KORRELL: The courts are partly, largely  
6 responsible for making the process so byzantine and  
7 impenetrable. Let's put them on the hot seat and say,  
8 why is it so hard to guide people without lawyers how  
9 to file forms? Perhaps that's not the right tone.

10 CHAIRMAN MINOW: No, no, no.

11 MR. KORRELL: But I think that would be an  
12 interesting topic.

13 CHAIRMAN MINOW: Spoken like a litigator. But  
14 I think it's incredibly timely. And in fact, Chief  
15 Justice O'Connor said essentially that today. She  
16 said, we're creating a lot of the trouble. And I  
17 thought, we need to take her on the road. So I thought  
18 that was well said.

19 John, did you want to say something?

20 MR. LEVI: Well, I think also they -- that is,  
21 the courts -- and the bar associations generally, we  
22 heard today about the choir. And I feel that. But yet

1 when I go around the country and talk to leadership of  
2 private firms, corporate counsel, many of them not  
3 connected to this issue -- and the question then of  
4 course is, well, how do we better reach them? How do  
5 we better educate them? Who's thinking about that?

6 This is something that we can't require people  
7 to read the letters they get from the court. but --

8 CHAIRMAN MINOW: Right. One thing we might  
9 consider is tweeting out some of the things that we've  
10 learned from those events.

11 Harry?

12 MR. KORRELL: If they're not paying attention,  
13 then they're not going to object to the changes that  
14 the courts make to make it easier.

15 (Laughter.)

16 MR. KORRELL: It's flippant, but some of this  
17 really is below the radar of the Am Law 200. Right?

18 CHAIRMAN MINOW: Most of it.

19 MR. KORRELL: But they're not going to care.  
20 And so there is the outreach and the importance, but  
21 that's all about funding and providing more lawyers.  
22 Because we're talking about streamlining the court

1 processes, and letting the clerks pass out basic  
2 information. They don't care, so they won't get in the  
3 anyway.

4 CHAIRMAN MINOW: I couldn't agree more. And  
5 even having uniform forms and not different forms for  
6 each judge.

7 Julie?

8 MS. REISKIN: I did tweet out this morning  
9 what she said about the rules causing problems.

10 CHAIRMAN MINOW: Excellent.

11 MS. REISKIN: But one thing, in terms of the  
12 board meetings and making good use of the panels, both  
13 the judge panels -- I was thinking more about the  
14 program panels.

15 CHAIRMAN MINOW: Program panels?

16 MS. REISKIN: If we could get more detail  
17 about what it's going to be ahead of time, maybe we  
18 could submit questions that could be -- in terms of the  
19 intake, what we got was awesome and excellent.

20 But I would have liked to be able to ask  
21 questions, but I could probably ask more effective  
22 questions if, ahead of time, if we had some time to

1 think and then write in. And then the staff would have  
2 to figure out which questions made sense; otherwise,  
3 because we could all be all over the place.

4 And I don't know if that would create too much  
5 work, but sometimes it might be nice if we could say,  
6 I'd really like to know about this with intake,  
7 versus -- just a thought.

8 CHAIRMAN MINOW: Yes. I agree. And then  
9 there's this phenomenon of panels. Many people end up  
10 saying, well, we do the same thing. We do the same  
11 thing. And it would be great to coordinate ahead of  
12 time and actually have people talk about different  
13 things, and to stipulate that people do the same thing  
14 when they do it.

15 There was one other general comment that I  
16 thought worth raising for this committee, and that is,  
17 the question was raised, as we now have in place an  
18 employee performance review, who integrates that with  
19 organizational performance?

20 And I don't think it's this committee. So I'd  
21 just share it because that was an interesting comment.

22 PRESIDENT SANDMAN: Could I respond to that?

1           CHAIRMAN MINOW:   Please.

2           PRESIDENT SANDMAN:   That is something that we  
3 as management do.

4           CHAIRMAN MINOW:   Great.

5           PRESIDENT SANDMAN:   The recommendations of the  
6 GAO, quite appropriately, suggested that we have office  
7 performance plans that are tied to the strategic plans,  
8 and that individual performance plans be tied to the  
9 office performance plans.   So we do that, and to try to  
10 be sure that it all comes together.

11          CHAIRMAN MINOW:   Great.   Well, that's  
12 terrific.   Again, I don't think it's this committee,  
13 but maybe that's something you can report on at some  
14 point.   I think that's excellent.

15          Well, now, to turn to the evaluations for this  
16 committee, it didn't seem there was great  
17 dissatisfaction, so that was good.   I did see one  
18 consistent comment, which is, now that the research  
19 agenda does fall within the purview of this committee,  
20 can we have more comprehensive oversight?

21          So I guess I would put this to Jim to think  
22 about for the future.   Can we come up with just even a

1 one-page map about what is the research agenda? What's  
2 the existing grants? How do they relate to a long-term  
3 strategy?

4           One person put the question, I thought, very  
5 well in terms of what's the comparative advantage of  
6 research that we can help to stimulate, that we can  
7 help to do, versus we can be consumers of. I thought  
8 that was a good way to put the question.

9           And I think that some people are closer than  
10 others to know which grant covers what, and others  
11 don't know that. And so just a one-pager, I think,  
12 would be very helpful.

13           I think it's also really going to be great to  
14 have data and to have the new data capacity on the  
15 staff. And so when and if it's appropriate, I think  
16 that this committee would be interested in hearing more  
17 about how the data generated through the LSC and  
18 grantees is used, and when that can be made available  
19 to others to do research.

20           Are there any other comments about research?  
21 Because that was a consistent theme several people  
22 raised in the evaluation.

1 (No response.)

2 CHAIRMAN MINOW: No? Okay. Well, Carol,  
3 thank you for helping us do that. And now I turn to  
4 you for any comments that you have.

5 MS. BERGMAN: Thank you, Madam Chairman. The  
6 only thing I would say is we got a far greater response  
7 from everybody this time around, and much more  
8 expeditiously. I really appreciate it. It just makes  
9 it much easier.

10 Everybody this time used SurveyMonkey, so  
11 that's clearly the way to go. And the reason the  
12 numbers don't always add up is that most of the  
13 nonvoting members participated at least in the  
14 committee evaluations, a few in the full board  
15 evaluations process. So that's why the numbers may  
16 seem off in terms of the actual number of board  
17 response.

18 And certainly I would say if people have  
19 additional suggestions about things you want done  
20 differently, more information or more specificity, to  
21 just let me know.

22 And just a reminder: We've created public



1 documents without attribution for each committee that  
2 are in the board book, and that I did was send to the  
3 chair, as I've done in the past, just the raw data so  
4 that the chair of each subcommittee sees it. And to  
5 John and Martha, they have the information for all the  
6 full board evaluations.

7           But if there's anything that should be done  
8 differently that would be helpful, folks should let me  
9 know. But I really appreciate how responsive everybody  
10 was this time.

11           CHAIRMAN MINOW: Thank you. Thank you for  
12 making it happy, and SurveyMonkey is a good thing.

13           Let's turn to discuss the president's  
14 evaluation for 2015. I think everyone had a copy. And  
15 Jim, I just would like to begin by saying thank you,  
16 thank you, thank you for your superb work. And that's  
17 exemplified by the kind of report that you've given to  
18 us -- detailed, frank, and impressive, both in what  
19 you've accomplished and what you identify that was not  
20 accomplished and how you plan to deal with that in the  
21 future.

22           Does anyone want to ask a question, comment,

1 to Jim?

2 MS. REISKIN: I don't see that in my book.

3 CHAIRMAN MINOW: It was not in the book. It  
4 was sent around by email, some time in the last two  
5 weeks, I think.

6 MR. MADDOX: I thought it was just remarkable.

7 CHAIRMAN MINOW: I'll send it to you again,  
8 Julie.

9 MS. REISKIN: Okay. Yes.

10 MR. MADDOX: And one question I had was, Jim,  
11 how do you possibly catalogue everything that you do so  
12 comprehensively? When you put it all together, I mean,  
13 it's just amazing to see what you've accomplished.

14 PRESIDENT SANDMAN: Well, thank you. Well, I  
15 do two things. One, the strategic plan is actually  
16 very helpful in cataloguing what I do. Harry asked  
17 yesterday whether the strategic plan is helpful to  
18 management, and it is.

19 And the appendix that I attached to my  
20 self-evaluation that describes our progress in meeting  
21 the goals of the strategic plan is very helpful to me  
22 personally in keeping me directed, but also in thinking

1 about how I do what I do. And I also just go through  
2 my calendar and put things into categories. Thank you.

3 CHAIRMAN MINOW: Well, and a good example, I  
4 think, of your attention to the few things you haven't  
5 been able to accomplish includes your comment earlier  
6 today about how to deal with the filling of positions  
7 and how you're thinking about that. I thought that was  
8 very perceptive and proactive.

9 John?

10 MR. LEVI: I think Gloria --

11 CHAIRMAN MINOW: Oh, Gloria?

12 PROFESSOR VALENCIA-WEBER: I thought the  
13 report and the appendix or the supplement, whatever it  
14 was titled, was very thorough, and I really put it in  
15 with the key documents I'm putting together for when  
16 Father Pius and I have to draft the strategic plan.

17 CHAIRMAN MINOW: I didn't hear the end of  
18 that. I'm sorry.

19 PROFESSOR VALENCIA-WEBER: Putting it with the  
20 set of documents that I'm accumulating for drafting of  
21 the strategic plan.

22 CHAIRMAN MINOW: Yes. Great.

1           MR. LEVI: I just wanted to say that I thought  
2 your comments about the strategic plan, and then also  
3 all of the work that's been done, not only were a  
4 testament to your own work and of your team, but also  
5 to the quality of the strategic plan as a help, which  
6 you observed, which is often not typical.

7           That's not well-phrased. But anyway, you get  
8 the point -- and puts to us a high bar for the next  
9 plan because this one has been so helpful. And we'll  
10 have to keep an eye on that, I guess, as we write it.  
11 But Jim, that was a very helpful and profound comment  
12 and observation you made in your -- because I'm sure  
13 you've seen strategic plans that haven't worked well.

14           CHAIRMAN MINOW: So I just have a few small  
15 comments. One is how much progress has been made, for  
16 example on the fiscal oversight recommendations, and on  
17 building the data capacity. Just things that were  
18 ideas are now real, and that's really terrific.

19           I think that the issue of communication that  
20 Carl helped us understand is a continuing one,  
21 communication with the field, and figuring out whether  
22 we're using the best ways.

1           And I flag that, and in that spirit say that  
2 the tremendous leadership that you have given and that  
3 LSC has given in technology innovation, I think, is not  
4 as well known in the broader public as it should be.  
5 And I'm not sure, even, that all the grantees  
6 understand accomplishments.

7           So I would just raise that as a question for  
8 the future. Can we come up with, again, a very  
9 effective way to share accomplishments and learning so  
10 that we can save people's time? But I just -- do we  
11 have enough adjectives that are complimentary? I'm not  
12 sure.

13           We could not ask for better leadership in  
14 terms of integrity, comprehensive attention to  
15 varieties of issues, and I to this day am just  
16 delighted that the one concern that Jim Sandman had  
17 about taking this job was that he wasn't going to very  
18 much like talking on the Hill. And you've become a  
19 master at it and built wonderful relationships. And so  
20 kudos to you.

21           MR. LEVI: And he just had -- is it you're  
22 about to have or you just had your fifth?

1           PRESIDENT SANDMAN:   Sunday.

2           MR. LEVI:   It's Sunday.   Okay.   So I think,  
3 with his fifth anniversary, we should stand up and give  
4 him an applause.

5           (Standing ovation.)

6           MR. MADDOX:   And kudos to the presidential  
7 search committee.

8           (Laughter.)

9           CHAIRMAN MINOW:   Hear, hear.

10          PRESIDENT SANDMAN:   Could I say two things in  
11 response?

12          CHAIRMAN MINOW:   Please.

13          PRESIDENT SANDMAN:   We have a terrific  
14 management team, and I'd just like to thank them and  
15 acknowledge them for what they do.   I love working with  
16 you all, and we're able to do what we do because we do  
17 it together and we compliment each other beautifully.

18                 And second, I'd just like to thank the board  
19 for hiring me.   I love what I do.   I hope it shows.   I  
20 feel like a round peg in a round hole, and I'm grateful  
21 for the day that you brought me to LSC.   Thank you.

22          CHAIRMAN MINOW:   Isn't that wonderful?   And

1 one other thing that you highlighted that I'd like to  
2 highlight is the wonderful relationships that you have  
3 built with NLADA, with all different kinds of  
4 organizations, ones that have been in our orbit in the  
5 past, ones that have not. And I would also like to  
6 underscore your wonderful relationship with our IG, who  
7 I see has just taken his seat.

8           And with no further comments that I see on  
9 this particular issue, we're going to turn to hear just  
10 a discussion of the activities of the Inspector General  
11 for the last year. Impressive activities, quite a  
12 range of things, and the recognition of our Inspector  
13 General for the fraud awareness is only one of many  
14 areas in which this great work could be recognized  
15 outside this organization. We recognize it here.

16           MR. SCHANZ: Well, thank you very much, Madam  
17 Chairman. I have a hard time following the president,  
18 but like him, I love this job. And I believe that  
19 under your tutelage and my leadership, we've developed  
20 one of the best OIGs in government. That includes  
21 60-plus IGs. My joke is, we're rarer than Senators and  
22 a lot more honest.

1           (Laughter.)

2           MR. SCHANZ: And in furtherance of that, I try  
3 not to make mistakes. I know that's not possible, but  
4 I try not to make mistakes. I'm a very good judge of  
5 talent, as evidenced by my newer AIGA and my newest  
6 AIGI, John Seeba and Dan O'Rourke respectively.

7           And I mentioned that earlier today at lunch  
8 with the table I was sitting with -- when I left my  
9 first job, I thought I was the greatest thing since  
10 sliced bread. And they said, well, Jeff, we're going  
11 to try to replace you with somebody better, a lesson I  
12 never lost. What? There's somebody better? Yes,  
13 there is.

14           So with that, we push hard. We meet our  
15 standards. I spend quite a bit of time -- my old IG,  
16 Glenn Fine, is back in the community, the CIGIE  
17 community. He found the grass wasn't always greener,  
18 so he's now the acting IG at the Department of Defense.

19           To his credit, there's five of us who are  
20 currently IGs who worked under Glenn Fine at the  
21 Department of Justice. That includes State and now  
22 Defense, him; Scott Dahl at Labor, Roslyn Mazer at



1 GSA -- or no, Roslyn Mazer at FTC, John Seeba's old  
2 agency; and then, because Glenn Fine came back, I can't  
3 brag any more that I'm the only IG who has hired a  
4 former IG because now Glenn came back to the community.

5 But it's something I've done for quite a few  
6 years. I mentioned a little bit earlier, and I  
7 prefaced it as a self-aggrandizement, that both HHS and  
8 DOJ are getting even more aggressive in their grant  
9 oversight, and had I stayed there, would have always  
10 been aggressive, not just more aggressive.

11 And I appreciate the support of the board.  
12 I've gotten the congressional dollars I've asked for,  
13 which helps me with my infrastructure because I fully  
14 intend to leave this OIG in a much better position than  
15 when I found it -- better staffed, better technology,  
16 better internet capabilities, and hopefully better  
17 timeliness in reporting to the board and to management.

18 So I will always accept -- we're running into  
19 my eighth year now -- any audit or investigative  
20 suggestions from the board of directors or from  
21 management. When the president asked me to do a review  
22 of his organization, we did.

1           I offer the same olive leaf to the board.  If  
2  there's something that has bugged you during your  
3  tenure, we have the capability of both audit,  
4  investigation, and management and evaluation to take a  
5  look at that.  Like I say, I'll have to put it in my  
6  priority order, but the door is open.

7           And I've always valued the input I get from  
8  the board and from management.  That's why Jim and I  
9  get along pretty well.  My three Cs of coordination,  
10 communication, and cooperation have taken root.  I see  
11 in the community every now and then, not even here, but  
12 I see it in the CIGIE community.

13           At one I went to, somebody had three Cs, and  
14 they weren't my three Cs.  They were communication,  
15 communication, communication.  And I thought, that was  
16 the easy way out.  That's not in-depth enough.

17           So what you have in front of you are an  
18 amalgamation of pretty much our last two semiannual  
19 reports.  Once again, you can read those in your free  
20 time on the internet.  You see it several times before  
21 it's sent over to the Hill also.  I consider that a  
22 ringing endorsement from the board, and work to strive

1 to get that.

2 So thank you very much, Madam Chairman.

3 CHAIRMAN MINOW: Thank you. Charles?

4 MR. KECKLER: Thank you very much, Jeff. I  
5 just wanted to thank you again for doing the  
6 year-over-year thing. And that's very revealing. You  
7 look at the number of investigations and audits in  
8 internal control that have increased over the course of  
9 this year, showing that the office is busier and more  
10 productive than ever.

11 And I also wanted to mention that I had a  
12 little bit of your assistance doing a short study of  
13 IGs throughout the government, and I can tell you  
14 qualitatively that your office is particularly  
15 impressive in its ability to work successfully with  
16 management and balance the different needs for  
17 independence and for coordination.

18 MR. SCHANZ: Thank you very much. That means  
19 a lot because unbeknownst to me, there was an  
20 undercurrent of its with problems with access to  
21 records, which included my dearly beloved DOJ, which I  
22 couldn't believe, EPA, and Commerce, where they were

1 having problems getting information from management.

2 In fact, we had several congressionals that we  
3 answered to that effect: Have you had any problems  
4 with access to records in your agency? And a lot of  
5 this has a political undertone. Dare I say Benghazi?  
6 But, I mean, we're operating the way the law requires  
7 us to operate, and I can think of nothing better than  
8 having the full cooperation of management and the board  
9 so that we can do our job.

10 CHAIRMAN MINOW: Well, I have to say you can't  
11 get higher praise than from Charles, who knows what  
12 he's talking about on this subject.

13 I also want to underscore something that you  
14 said, Jeff, which is your staff. You have built a  
15 staff that is just so professional and so reliable, and  
16 that's a testament to you and your leadership.

17 Does anyone else have a comment? Yes, Father  
18 Pius?

19 FATHER PIUS: And same here. I'm just very  
20 impressed with the way not only the IG works, but the  
21 way that it is coordinated with management.

22 The one thing I would offer, and this is not

1 so much a criticism but it's just some things I've  
2 heard from the field as a suggestion, is -- I know  
3 you're aware of it, but just as a reminder, to be  
4 sensitive about the timing of IG visits.

5           Especially when a grantee is facing visits  
6 from LSC management and an IG visit on top of that, it  
7 can become a little bit overwhelming. I know you're  
8 aware of it, but I've heard it a little bit  
9 from -- they complain about this a lot. But I did feel  
10 it necessarily at least to mention it to you. I know  
11 you're aware of it, but I just wanted to reinforce it.

12           MR. SCHANZ: Well, thank you, because we do  
13 meet biweekly, my AIGs with Lynn Jennings and her team.

14           And then I meet with the president also biweekly.

15           What you need to realize, though, and maybe  
16 you do because I really what you're telling me, is the  
17 field feels put out any time there's any sort of  
18 oversight from Washington, D.C. It doesn't matter  
19 whether it's OPP, OCC, a board member, or the IG.  
20 We're all Big Brother, lumped together.

21           CHAIRMAN MINOW: Julie?

22           MS. REISKIN: I just want to respectfully

1 disagree with that. I think people understand that  
2 there has to be oversight and that that's our job. I  
3 think that there are times when it is too much, and  
4 often that might be unavoidable. It's not that  
5 someone's doing anything wrong.

6 But I have not gotten the sense from the field  
7 that they feel like every kind of oversight from D.C.  
8 is Big Brother. That's just not what I've seen.

9 MR. SCHANZ: Well, I like that view of the  
10 world better than mine, so thank you.

11 MS. REISKIN: Well, my view is right.

12 (Laughter.)

13 CHAIRMAN MINOW: Mr. Chair?

14 MR. LEVI: Jeff, I just want to thank you.  
15 You know that the relationship that we established when  
16 we took office, I think, over the past few years, the  
17 working relationship and the trust that we can have in  
18 one another, that we very much support your fraud  
19 awareness briefings. Surely it's time to start all  
20 over again. You know, there are 134 programs with 800  
21 offices, and --

22 CHAIRMAN MINOW: Turnover.

1           MR. LEVI: And turnover, and new people coming  
2 in. And we know from sorry experience how difficult it  
3 is when we are embarrassed. And I know you know.

4           And so that's why we are very grateful for you  
5 and your team, the hard work that they've demonstrated,  
6 and the modernization, even -- not modernization, but  
7 you know -- you guys, you've upgraded your -- you have  
8 a new website. You're paying attention to those  
9 things, too. And we are, if we're allowed to say it,  
10 proud of our IG and his team and their efforts.

11          MR. SCHANZ: Once again, I'm the conductor of  
12 the orchestra. So the credit goes to staff.

13          CHAIRMAN MINOW: Well, as we turn to other  
14 items on the agenda, let me just say it's great, as we  
15 have an annual meeting of this committee and look over  
16 the self-governance of the board, look at what the  
17 president has done. It's wonderful to be able to talk  
18 with you about what you've done as well. So thank you  
19 very much.

20          MR. SCHANZ: Thank you.

21          CHAIRMAN MINOW: And we will turn now to an  
22 update on resources for board and board committee

1 succession planning with Ron Flagg.

2 MR. FLAGG: This is a continuation of reports  
3 we've made over the last several sessions. I think one  
4 thing that has changed, or has not changed but has come  
5 into focus, is that one enormous planning tool for  
6 succession in the next board will be the strategic plan  
7 that this board is developing. And that obviously is a  
8 whole separate initiative, but quite important to  
9 succession planning.

10 You have in your board books at pages 400 and  
11 401 a revised version of the document that you've  
12 previously seen. It is a compendium of the various  
13 existing, in almost every instance, resources to  
14 provide a briefing to anybody -- to current board  
15 members, new board members, new members of management.

16 Obviously, our proposal would not be -- absent  
17 a request from a new board, we would organize  
18 presentations with some subset of these resources  
19 available. What is highlighted in yellow is the last  
20 time we presented this document, we received a number  
21 of suggestions about augmenting the document, that is  
22 reflected in yellow.



1           And I think this does give a pretty good sense  
2 of the existing resources we have to provide quite  
3 detailed information about a wide variety and really  
4 the core activities and background of LSC.

5           CHAIRMAN MINOW: I think that's great. One  
6 thought -- we have plenty of time for this -- but I  
7 would suggest, and invite you to help us do this, that  
8 each committee chair be asked to think about producing  
9 a document that ultimately will be used in succession  
10 that has two parts in it.

11           One is, here are general practices, concerns,  
12 scope of business, that's beyond what's written down  
13 for each of the committees; and then a second part that  
14 will be closer to the time of succession: Here are  
15 pending issues or ones we didn't get to. That's my  
16 suggestion.

17           Because I think that there's a lot of lore  
18 that we know from doing things. That doesn't mean  
19 anyone has to do exactly what we've done, but it would  
20 be good to not lose it.

21           MR. FLAGG: I think that's a good idea.

22           CHAIRMAN MINOW: Any other thoughts?

1 Comments?

2 MR. LEVI: I think that's a great suggestion,  
3 including the possibility of an exit interview with  
4 each committee chair. It doesn't have to be a long  
5 one, but an interview, and record it.

6 CHAIRMAN MINOW: Just don't make it a podcast.

7 MR. LEVI: You can transcribe it. They can  
8 edit it.

9 MR. FLAGG: Yes. I think Carol was just  
10 suggesting that when we are inevitably asked to provide  
11 a transition document to the next administration, that  
12 would be a good vehicle for some of the things you're  
13 talking about.

14 MR. LEVI: That's a good idea. Yes.

15 CHAIRMAN MINOW: Very good. Thank you.

16 I think that now we're ready to turn -- thank  
17 you, Ron, and I think that the updated summary of the  
18 documents is just what we were hoping for. So now we  
19 turn to the report on foundation grants and the  
20 research agenda and to our president.

21 PRESIDENT SANDMAN: There is a summary of our  
22 current foundation grants on pages 403 to 406 of your

1 board book. I'd like to supplement that with an update  
2 on where we stand with each of those grants.

3           The first is our Midwest disaster legal  
4 preparedness grant. That grant has been extended  
5 through February 28th of next year. Nebraska Legal Aid  
6 cohosted a meeting that Wendy described earlier, a very  
7 successful meeting in Omaha this week. We have  
8 recently signed a contract with a project evaluator.  
9 This was something that the funder wanted us to do. So  
10 that will be underway shortly.

11           We have a grant from the Ford Foundation to do  
12 an evaluation of statewide websites. As you know,  
13 every state currently has a statewide website, but they  
14 vary significantly in terms of the quantity and the  
15 quality of the information on them.

16           We have an RFP in process for an evaluator to  
17 help us assess the quality of the websites that we  
18 funded through our TIG program. David Bonebrake in the  
19 Office of Program Performance, is assigned to work on  
20 this project with Lynn and with Janet LaBella.

21           David hosted a focus group at the recent TIG  
22 conference with program managers from leading statewide

1 websites to discuss this project and to get their input  
2 about what information would be helpful for the  
3 evaluation that we're going to do. This grant runs  
4 through September 1st of 2017.

5           The Hewlett Foundation and the Kresge  
6 Foundation together are funding a new justice gap  
7 study. As you know, the Legal Services Corporation did  
8 justice gap studies in 2005 and 2009 using pretty much  
9 the same methodology for both. The 2009 study is now  
10 seven years old, and we need to update that.

11           This grant will take us through the end of the  
12 current year. So we have a lot of work to do between  
13 now and December 31st. We are forming an advisory  
14 committee to help us select a consultant to use. The  
15 methodology that we want to use to conduct the justice  
16 gap study is something that we want to work out.

17           We don't simply want to repeat the studies  
18 that we did previously, which had shortcomings,  
19 shortcomings that were pointed out to us. So we are  
20 sharing the feedback that we got about the prior  
21 studies. We'll be sharing it with the advisory  
22 committee and soliciting their help in identifying

1 entities to whom we should send a request for proposals  
2 to provide consulting service to do that.

3           We have two projects that are currently being  
4 funded by the Public Welfare Foundation. One is the  
5 last phase of our outcomes measurement project, and  
6 that is to develop an e-learning system, an online tool  
7 that will compliment the toolkit that we've developed  
8 to provide more information, richer information, to  
9 grantees on how you go about measuring outcomes and  
10 what use you can make of the information that you  
11 collect.

12           We are working with an outside contractor  
13 that's making great progress in doing this. We expect  
14 to be able to roll out this e-learning system that will  
15 be permanently available on our website in the spring.

16           We have another grant from the Public Welfare  
17 Foundation that's also related to outcomes, but it's a  
18 new project. As you know, there have been a number of  
19 IOLTA funders for some time that have required that  
20 their grantees report on outcomes in extended service  
21 cases.

22           We'd like to do a study of what has happened

1 in selected states that have had that process in place,  
2 what use has been made of the outcomes information that  
3 they've collected, what best practices are, and what  
4 lessons we can learn from their on-the-ground  
5 experience in implementing our own data collection  
6 protocol.

7           And finally, we have a grant from the Mellon  
8 Foundation. This is our public libraries initiative.  
9 It's essentially a planning grant to eventually lead to  
10 the development of a curriculum to train public  
11 librarians in resources that are available to guide  
12 users who might come to them about the availability of  
13 legal aid resources.

14           And with that grant, we have a consultant  
15 selected already, and they have begun doing the  
16 research necessary to support us in that work. We're  
17 also planning to work with an advisory committee there  
18 that would include not only representatives of legal  
19 aid organizations that are currently working with  
20 public librarians, but people from the librarian  
21 community.

22           CHAIRMAN MINOW: I think you heard some

1 volunteering from the South Carolina grantee to be a  
2 pilot, and I think there might be some others as well.

3 I have one comment about the evaluation of the  
4 websites, and then another just to elaborate an earlier  
5 comment about what might be a one-page something or  
6 other.

7 The first is, maybe this is what the  
8 consultant is going to help with as you think about the  
9 evaluation of the websites. But there's three ways to  
10 evaluate websites. One would apply to any  
11 website -- how communicative it is, how interactive it  
12 is, how appealing it is.

13 But then there's a second, which is how  
14 innovative it is in our field, which would require  
15 comparing across all of them.

16 And then there's a third, which is, are there  
17 elements of the particular website that others could  
18 copy without having to pay a lot of money to create the  
19 same code and/or that that website could become a  
20 national beacon, as we've seen in Stateside, for  
21 example, for Pine Tree.

22 And I don't know if those are the kinds of

1 questions that are being asked, but I would be as  
2 interested in the second and third category as I would  
3 in the first.

4           So recognizing that each of the grantees is  
5 serving different populations and there'll be  
6 variations about what they need to do, there is this  
7 concern -- we've all talked about this -- that TIG  
8 grants and other spends on technology may end up being  
9 duplicative.

10           When people are doing the same thing, do they  
11 really need to pay for another consultant to do it?  
12 And the proprietary software and all of that, can we  
13 just overcome some of that? This is public money. It  
14 ought to be shared.

15           And then, secondly, a different way of sharing  
16 is when somebody's really invested in a resource that  
17 would be helpful to people around the country. Can we  
18 make that known?

19           The more general comment is, this is a really  
20 great summary, but it doesn't relate to what is our  
21 sense of research needs? What is our comparative  
22 advantage? What might others want to do?



1           PRESIDENT SANDMAN: Yes. We can add to that  
2 document. I do want to note that we have a pretty full  
3 plate right now. All of the grants that I described  
4 have time frames that, with one exception --

5           CHAIRMAN MINOW: Absolutely.

6           PRESIDENT SANDMAN: -- have to run to  
7 completion through the end of this year or by the end  
8 of the first quarter of next year. The exception is  
9 the Ford Foundation grant, which runs to September 1,  
10 2017. So we would have qualms about expanding the  
11 current research agenda beyond this. These things are  
12 challenging to manage.

13           But we do need to be thinking about what we  
14 want to do going forward. Once we have these grants  
15 completed and have completed these studies, what's  
16 next?

17           CHAIRMAN MINOW: Well, and as much as  
18 anything, what is not our comparative advantage? What  
19 could someone else do? What do we need that we don't  
20 have the ability to do? And as the American Academy of  
21 Arts and Sciences thinks about getting into this space,  
22 as I have heard others also wanting to know how they

1 can be helpful, if we can be somewhat of an  
2 agenda-setter, and also identify when we would make  
3 data available that we have, I think that would be  
4 great.

5           PRESIDENT SANDMAN: Well, we are doing that,  
6 in a way, already. I'll give probably the only example  
7 I have. But we had talked about trying to get private  
8 funding to implement the recommendations of our  
9 technology summit. The Public Welfare Foundation is  
10 actually doing that, but they're not funding us to do  
11 it, they're funding the National Center for State  
12 Courts to do it, which is a much better vehicle for  
13 doing that than for us.

14           CHAIRMAN MINOW: Where it should be.

15           PRESIDENT SANDMAN: Absolutely. So it's  
16 happening, and it's happening as a result of our summit  
17 report and because of conversations we've had with them  
18 about what needed to happen. So yes.

19           CHAIRMAN MINOW: Well, that's great. And this  
20 is just one other area where you have really shined.  
21 And that includes the connections with foundations and  
22 the connections with researchers.

1           MR. LEVI: I think one other place -- two  
2 other places -- that we might look in the future would  
3 be if there are spectacular results from one, say, Pro  
4 Bono Innovation Fund grant. Now you want to really  
5 build it. How do we? And the same, I guess, would  
6 possibly be from a TIG grant.

7           CHAIRMAN MINOW: Other comments from anyone  
8 else about the research agenda? Vic?

9           MR. MADDOX: I just wonder, when is the  
10 justice gap update expected to be available? Do we  
11 know?

12          PRESIDENT SANDMAN: Yes. By the end of this  
13 year. We're on a tight time frame there.

14          CHAIRMAN MINOW: Any others? And I think the  
15 methodology will be better. That's my sense.

16          PRESIDENT SANDMAN: This is a study, by the  
17 way, which is limited to LSC grantees.

18          CHAIRMAN MINOW: Understood.

19          PRESIDENT SANDMAN: But that's our universe.

20          CHAIRMAN MINOW: Right. Which would identify  
21 something that we're not doing that someone else could  
22 do.

1           So I think that closes that topic. And now  
2 anybody have any other business?

3           (No response.)

4           CHAIRMAN MINOW: Public comment?

5           MR. BROOKS: Just very briefly, as I stand  
6 between you and dinner, I would like to add the voice  
7 of the ABA to the compliments to the excellent work  
8 done by Mr. Sandman and his exceptionally professional  
9 staff that he has assembled. I would also like to  
10 compliment this board as one of the most engaged and  
11 thoughtful boards that I've had the pleasure of  
12 observing.

13           Finally, I would like to put in a pitch for a  
14 representative from the ABA Standing Committee on Legal  
15 Aid to participate in the advisory committee that you  
16 will be assembling to work toward a new justice gap  
17 study. The committee has worked closely with LSC in  
18 the past, flaws and all, and I think it will have some  
19 useful insight to contribute to that endeavor. Thank  
20 you.

21           CHAIRMAN MINOW: Well, thank you for the kind  
22 words, for your very valuable contributions, and for

1 that suggestion. I see Lynn nodding vigorously.

2 Carol's nodding vigorously. I see Jim taking notes.

3 MS. JENNINGS: Yes. Carlos, the new director  
4 of data governance, we're meeting with Jim next week to  
5 go over recommendations for the advisory committees for  
6 both the justice gap and the Mellon Foundation.

7 And with regard to the justice gap, we have  
8 already gotten Scott Keeter, who is the former director  
9 of research and methods for the Pew Research, to sign  
10 onto it. So he will be an expert to help us in that  
11 regard. He recently retired and is working part-time  
12 there.

13 CHAIRMAN MINOW: That's really excellent.

14 MR. BROOKS: Thank you. I realize I failed to  
15 identify myself. This is Terry Brooks with the  
16 American Bar Association.

17 MR. LEVI: Even with your new look.

18 CHAIRMAN MINOW: Terry, we know you so well.  
19 But you can't disguise yourself with a goatee.

20 (Laughter.)

21 CHAIRMAN MINOW: I do want to underscore  
22 something that Terry just said, which Jim, you have

1 built a staff and an operation that is unparalleled.  
2 To my knowledge, this organization has never had people  
3 of such quality and working so well together. And I'd  
4 like to give applause to all of them since we're the  
5 governance committee.

6 (Applause)

7 CHAIRMAN MINOW: I believe that I am the only  
8 thing standing between all of us and dinner.

9 MS. REISKIN: No.

10 CHAIRMAN MINOW: No? There's more? No Father  
11 Pius?

12 FATHER PIUS: It's not me.

13 (Laughter.)

14 CHAIRMAN MINOW: So I would entertain a motion  
15 to adjourn, with the comment that we have a meeting  
16 tomorrow. We have the full board meeting tomorrow.  
17 And so everyone be there or be square.

18 A motion to adjourn?

19 M O T I O N

20 MR. KECKLER: So moved.

21 MR. LEVI: Actually, we have the Standing  
22 Committee of the American Bar Association pro bono

1 breakfast.

2 CHAIRMAN MINOW: Before. Before.

3 MR. LEVI: 8:00 to 9:30.

4 CHAIRMAN MINOW: 8:00 to 9:30 is our joint  
5 meeting with the Standing Committee, and that's at  
6 breakfast.

7 MR. LEVI: And where is the breakfast?

8 CHAIRMAN MINOW: It's in our book and we'll  
9 figure it out.

10 MR. LEVI: And like we did last time. So we  
11 get our breakfast and sit down.

12 CHAIRMAN MINOW: Yes. The Rutledge Room.  
13 Right next door. Thank you.

14 And I didn't get a second to close the  
15 meeting.

16 MS. REISKIN: Second.

17 CHAIRMAN MINOW: Thank you. All in favor?  
18 Dinner.

19 (A chorus of ayes.)

20 (Whereupon, at 7:02 p.m., the committee was  
21 adjourned.)

22

\* \* \* \* \*