

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS
PROVISION FOR THE DELIVERY OF LEGAL SERVICES
COMMITTEE MEETING

April 25, 1993

11:23 a.m.

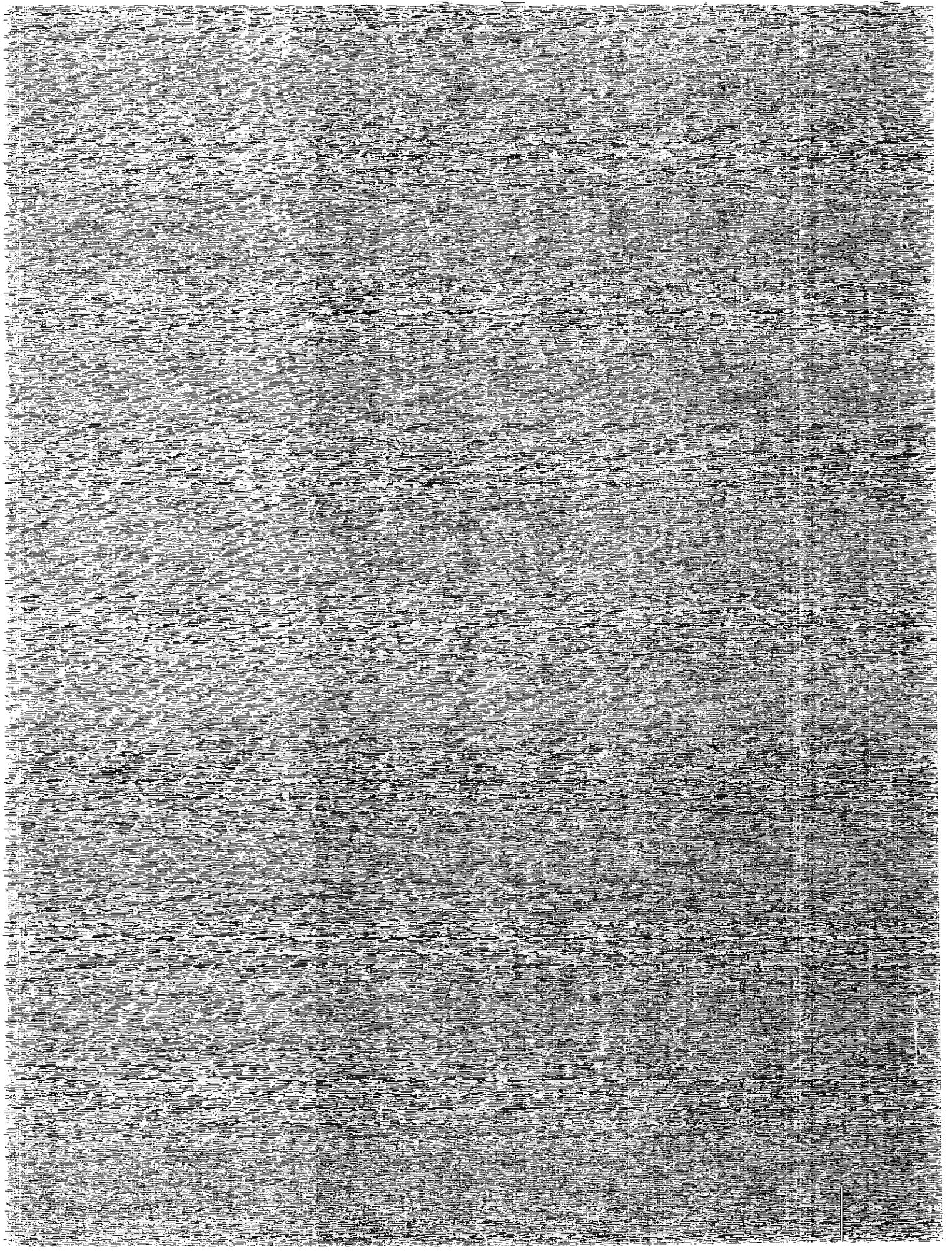
The Embassy Suites Hotel
601 Pacific Highway
The Monterey I Room
San Diego, California 92101

Diversified Reporting Services, Inc.

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WASHINGTON, D.C. 20006

(202) 296-2929



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BOARD MEMBERS PRESENT:

J. Blakeley Hall, Chairman
Jo Betts Love
Norman D. Shumway
Basile J. Uddo
George W. Wittgraf
Jeanine E. Wolbeck

STAFF MEMBERS PRESENT:

John P. O'Hara, President
Emilia DiSanto, Acting Vice President
Patricia Batie, Corporate Secretary
David Richardson, Treasurer and Comptroller
Victor Fortuno, General Counsel
Eduard Quatrevaux, Inspector General
Susan Sparks, *Acting Director, Office of Monitoring, Audit, and Compliance*

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Motions: 4, 5, 34

P R O C E E D I N G S

(11:23 a.m.)

CHAIRMAN HALL: I'm going to call to order this meeting of the Provision for the Legal Services Committee. Today is April the 25th, 1993. We're in Committee Member Norm Shumway's home state, California, in San Diego.

I think we have a quorum. I think all committee members are present today. We have two new members to this committee, which I will welcome, George Wittgraf and Norm Shumway. In addition, Jo Betts Love, Jeanine Wolbeck are both with me, as is my president, Jack O'Hara.

And with that, I'll entertain a motion for the approval of the agenda as it's printed in our Board book.

M O T I O N

MS. WOLBECK: So moved.

MR. SHUMWAY: Second.

CHAIRMAN HALL: I have a motion and a second.

Any discussion or changes to that agenda?

(No response.)

CHAIRMAN HALL: I'll call for a vote.

All in favor of approval of the agenda, say aye.

(Chorus of ayes.)

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1 CHAIRMAN HALL: Opposed, say no.

2 (No response.)

3 CHAIRMAN HALL: The ayes have it.

4 The agenda is approved as printed.

5 The second item on the agenda is the approval of
6 the January the 28th, 1993, meeting minutes.

7 Has everyone had a chance to read those minutes?
8 They are printed in the Board book as well.

9 I'll entertain a motion to approve those as they're
10 printed.

11 M O T I O N

12 MS. LOVE: So moved.

13 CHAIRMAN HALL: We have a motion to do that by Jo
14 Betts Love.

15 Is there a second?

16 MS. WOLBECK: Second.

17 CHAIRMAN HALL: Second from Jeanine Wolbeck.

18 Is there any discussion of those?

19 (No response.)

20 CHAIRMAN HALL: If not, I'll call for a vote.

21 All in favor of approval, say aye.

22 (Chorus of ayes.)

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1 CHAIRMAN HALL: Opposed, say no.

2 (No response.)

3 CHAIRMAN HALL: The ayes have it.

4 The minutes as printed are approved.

5 The first item on the -- real meat on our agenda is
6 the consideration of the status report and request for
7 proposals for migrant ombudsman demonstration projects.

8 And I'm not sure who is going to -- Emilia, would
9 you come forward and give us that report, please?

10 CONSIDERATION OF STATUS REPORT ON REQUEST FOR PROPOSALS
11 FOR MIGRANT OMBUDSMAN DEMONSTRATION PROJECTS

12 MS. DiSANTO: Good morning.

13 For the record, my name Emilia DiSanto. I am the
14 vice president of operations of the Legal Services
15 Corporation.

16 Just an update, more or less, on the migrant
17 alternative dispute resolution solicitation, the ADR
18 solicitation. The Corporation sent out about 124 of the
19 solicitations to various organizations, I'd say, about six or
20 eight weeks ago.

21 About 45 or 50 went to our own legal services
22 programs. 57 programs that got Department of Labor funds

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1 also received copies. And then we had numerous inquiries
2 that came in as a result of the Federal Register notice.

3 Since our last meeting, staff, including myself and
4 Mr. O'Hara, met with Roger Rosenthal, who is the director of
5 the Migrant Legal Action Program, and a few other
6 representatives from the LSC migrant programs. They
7 discussed with us some of their views regarding the ADR
8 solicitation.

9 At this point in time, we have four complete
10 proposals within the Corporation in response to our
11 solicitation. And we have two proposals where there is some
12 clarification that needs to be made and we are waiting for
13 the programs to send in clarifications into the proposals.
14 By then, we will have -- we have six proposals in response to
15 our solicitation.

16 We will be putting a group together to review the
17 solicitations for decisions to be -- well, I should say so
18 that selections can be made. At that point, once the
19 selections are made -- or recommendations, I should say --
20 they will be provided to Mr. O'Hara for final selection.

21 We expect the time frame for this to be somewhere
22 between mid-May to late May by the time the grants are

1 actually give out -- the awards will be given out.

2 Any questions?

3 CHAIRMAN HALL: Are there questions?

4 MR. WITTGRAF: Mr. Chairman.

5 CHAIRMAN HALL: Mr. Wittgraf.

6 MR. WITTGRAF: After the committee members have
7 asked their questions, I'll ask a couple probably, if that's
8 all right.

9 CHAIRMAN HALL: I thought you were on our committee
10 now, George.

11 MR. WITTGRAF: Maybe.

12 CHAIRMAN HALL: Well, I had to ask before we
13 started. I didn't know either.

14 MR. WITTGRAF: I have to look at the list.
15 With the comings and goings of people, all right.

16 CHAIRMAN HALL: I had to, too. I didn't know.

17 MR. WITTGRAF: I think I'm on the Board still.

18 (Laughter)

19 MR. SHUMWAY: You'd better check the list.

20 CHAIRMAN HALL: We'll ask Ken to come forward and
21 give us a report on that. No, no.

22 MR. WITTGRAF: Ms. DiSanto, without prejudging the

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1 -- or wanting you to divulge, I guess, the particulars of the
2 proposals, in light of the fact that you haven't really begun
3 the review process yet, could you give us an idea of the
4 dollar range that has been utilized by the six proposals?

5 MS. DiSANTO: Mr. Wittgraf, I'm not aware of that
6 information at this time. As of Wednesday, we still had two
7 that were open to cure.

8 So I have not seen the proposals themselves, but I
9 could get that information together for perhaps tomorrow, if
10 you would like, as to what the dollar range is on those
11 proposals --

12 MR. WITTGRAF: Okay. Okay, I guess, if you would.
13 We're talking about \$100,000, and I think the solicitation
14 said up to \$75,000 for any one proposal, if I recall
15 correctly.

16 MS. DiSANTO: Yes, sir.

17 MR. WITTGRAF: Okay. You're not familiar then with
18 the particulars of the proposals at all, monetarily or
19 otherwise?

20 MS. DiSANTO: No, I am not.

21 MR. WITTGRAF: Okay.

22 Mr. Chairman, I have received a telephone call from

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1 Mr. Rosenthal on behalf of the migrant programs. Just as
2 Ms. DiSanto indicated that she and some other members of the
3 Corporation staff have. And he has raised two general
4 concerns as we utilize the \$100,000, or at least as we
5 consider utilizing the \$100,000.

6 One concern, as I understand it, has to do with the
7 effort that has just recently gotten under way in the State
8 of Mississippi and migrant program there, and whether or not
9 there has been what I'll call sort of detrimental reliance or
10 an expectation created, and that use of some of this \$100,000
11 money might cause some interruption of the plans that they
12 have got there.

13 Additionally, or the second concern, as I
14 understand it, is simply that the \$100,000 is about half of
15 the whole increase in funding that all migrant programs
16 across the country received for the current fiscal year,
17 Fiscal Year 1993, so that for those programs who are having a
18 very difficult existence, which is probably true of Legal
19 Services grantees generally at the moment, there's a great
20 desire simply to have even a few more dollars per program to
21 avoid layoffs, cutbacks, closings, what have you.

22 I had indicated to Mr. Rosenthal then that I --

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1 well, first of all, that it was the staff, under the
2 direction of the president, who would be making the selection
3 pursuant to the solicitation, and that the Board members
4 wouldn't be getting involved directly in that, but that I
5 would continue to visit with the president and the staff
6 about those concerns, and for the staff and the president to
7 have them in mind as the determination made among the six
8 applications or consideration of the six applications as to
9 how important those two concerns are relative to what can be
10 gained through these six proposals.

11 I indicated to Mr. Rosenthal, and he even told me
12 before I reiterated to him, my concern that ADR is very
13 important and that ADR, in the migrant area in resolving
14 difficulties between producers and migrant laborers, is so
15 important politically that I have, for some time, felt very
16 strongly about it and still do. And he accepted that fact.

17 So I guess the summary of my rambling here is that
18 I would ask the president, Ms. DiSanto, and the other members
19 of the staff to have those two considerations in mind as they
20 look at the possible awarding of the \$100,000 to the six
21 programs that are in the process of or already have made the
22 grant application requests or the proposals in response to

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1 the solicitation.

2 And I would be curious to know perhaps what dollar
3 amounts go with the six proposals that are on the table.

4 CHAIRMAN HALL: George, is it my understanding then
5 that Mr. Rosenthal feels that perhaps the money should just
6 be given directly to the field instead of put into this type
7 of program? Is that his suggestion, or is it a concern, that
8 the needs are better?

9 MR. WITTGRAF: It's two. That's one of the two.
10 And the other is that Mississippi particularly needs some
11 extra money because they're just getting started, and they
12 have an expectation of a higher level of funding, which
13 expectation would not be met if some of the \$100,000 wasn't
14 available to them.

15 So, yes, existing programs, with a special emphasis
16 on the one in Mississippi, but I think he recognizes that our
17 effort in the area of ADR and in the specific ADR area of
18 producer, agricultural producer migrant problems, could have
19 a greater good both substantively and politically for funding
20 for the whole Legal Services Corporation, and he accepts
21 that, too.

22 I think it would be fair to say that he simply is

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1 encouraging us and, in turn, the president and the staff to
2 have those considerations in mind while considering the six
3 grant proposals and utilizing the \$100,000.

4 CHAIRMAN HALL: You're not -- yes, Mr. President.

5 MR. O'HARA: Thank you, Mr. Chairman.

6 Mr. Wittgraf, in defense of Ms. DiSanto's statement
7 regarding the figures, it was at my instructions that the
8 figures which were received were not made public to the staff
9 or anybody until we had received everybody's, because we
10 didn't want information floating in the field as to the
11 numbers that were out there.

12 But by tomorrow morning, Emilia will have the
13 information the information on the range, if that's
14 satisfactory.

15 MR. WITTGRAF: Yeah, I don't want in any way to
16 undercut or to bias the review process and the selection
17 process. I was just curious as to what range they were
18 falling in, without knowing the identities of the proposers
19 or the grantees with the proposals. But --

20 MR. O'HARA: Well, we can provide that in the
21 morning, as the time now has expired for everybody. And we
22 gave them the extra time; it was Friday.

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1 MS. DiSANTO: Yes. Extra time was given to some
2 individuals. An extension was provided. Everything should
3 have been by COB of Friday.

4 MR. O'HARA: Right.

5 MR. WITTGRAF: But I do still feel, as one Board
6 member at least, as I told Roger Rosenthal, very strongly
7 about the need to proceed with experimentation where it
8 appears to the president and the staff that that would be
9 particularly productive.

10 Do I understand, also, as I recall the contents of
11 the solicitation, that there is some kind of field
12 participation in the review process?

13 MS. DiSANTO: Yes. Our -- the group review that
14 we'll consider will have in it both staff members as well as
15 Legal Services program representatives on the group that will
16 assess the proposals that we have.

17 MR. WITTGRAF: Thank you.

18 Thank you, Mr. Chairman.

19 CHAIRMAN HALL: Any further response to that,
20 Emilia, or further report?

21 MS. DiSANTO: No, this report's complete.

22 CHAIRMAN HALL: Any other questions?

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1 (No response.)

2 CHAIRMAN HALL: Thank you.

3 We'll move forward then to agenda item number four,
4 the consideration of the status report on the survey on
5 grantees on attorney recruitment and retention.

6 Emilia.

7 CONSIDERATION OF STATUS REPORT ON SURVEY OF GRANTEES
8 ON ATTORNEY RECRUITMENT AND RETENTION

9 MS. DiSANTO: As you know, in February, we sent out
10 a survey. An attorney recruitment and retention survey was
11 mailed out to all of our field programs. As of this past
12 week, we've gotten about 146 responses to our survey, as it
13 stands -- which is about half of our programs.

14 As it stand right now, 82 percent of the programs
15 that responded to our survey stated that they are
16 experiencing difficulties in attracting and retaining
17 minority attorneys. About 50 percent of the programs are
18 experiencing difficulties generally in recruiting attorneys
19 or even recruiting new attorneys, as well as experienced
20 attorneys.

21 The other figure that we got is that the average
22 amount of the loan of an attorney that is working in a Legal

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1 Services program right now is about \$20,000.

2 And that is an average, going for attorneys who are
3 brand new to Legal Services programs, a new staff attorney
4 who is just coming into the program to attorneys with up to
5 10 years of experience. And so it's about \$20,000 is what it
6 is we're talking about.

7 We're hoping that by the next Board meeting we
8 should have a complete report of the data that we've
9 collected from all of the programs, and I'll be able to
10 provide you, you know, with some graphs and charts about what
11 the results are of those programs.

12 But right now, based on the report last month at
13 the Board meeting and this report, it looks like the data was
14 all supporting what everybody's belief was. The programs are
15 just experiencing a lot of difficulties in finding attorneys
16 and keeping attorneys. And the amount of loans that the
17 attorneys have when they come into the program are pretty
18 high.

19 Any questions?

20 CHAIRMAN HALL: Emilia, how many of those surveys
21 did you send out?

22 MS. DiSANTO: We sent out every single program

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1 received. And so it was probably in the area of 323, 324.

2 CHAIRMAN HALL: You have 146 more from your last
3 report, or is that your total amount that you --

4 MS. DiSANTO: 146 was the total. So -- to date.

5 CHAIRMAN HALL: Do you all ever -- it seems like
6 the middle of April of kind of the target date for having all
7 of those back, and I know you don't always have every survey
8 back.

9 Do you all ever call the ones or -- that don't send
10 in and maybe inquire whether they intend to? Or --

11 MS. DiSANTO: Yes. Yes, we will probably do that.
12 As a matter of fact, we might send out just a brief memo to
13 the programs and say, "You know, this information is really
14 important. And the more information you have, the better
15 equipped we are to answer some questions that we're
16 receiving."

17 CHAIRMAN HALL: Okay.

18 Mr. Shumway.

19 MR. SHUMWAY: I know it has always been difficult
20 to recruit and retain attorneys, but I'm just wondering if,
21 when you finally compile all this information, if we could
22 see how the current trends might compare to prior years if

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1 that information is available?

2 For example, you say it's now about \$20,000, an
3 obligation that the attorney would have to pay off after law
4 school. Is that figure up or down, or is it too early to
5 tell?

6 MS. DiSANTO: Well, just look -- I keep basing it
7 on my memory. I don't recall collecting this type of
8 information in the past.

9 So I don't know if we, in the Corporation, would
10 have any information available in that regard. Perhaps some
11 other organization may, but I don't know if it will be
12 targeted simply to our programs.

13 MR. SHUMWAY: It may also be interesting. I know
14 you wouldn't have this. But there are other kinds of
15 graduate students coming out of school, looking for jobs --
16 for example, MBAs going into the business field.

17 It would be interesting to me to know what kind of
18 indebtedness they have and how much promise there is that
19 future employers would be willing to help them pay that off.

20 MS. DiSANTO: That is information that we could put
21 together as a comparison.

22 MR. SHUMWAY: If that's available, I'd be very

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1 interested in seeing it.

2 CHAIRMAN HALL: Other questions from anyone?

3 Joe.

4 MS. LOVE: Emilia, I would like to know, how do you
5 go about finding the minorities in the colleges? If they're
6 going to be attorneys or they want to be attorneys, how do
7 you come up with your findings for the minorities?

8 MS. DiSANTO: Oh, what we did in this particular is
9 we also tried to get a breakdown of the attorneys as far as
10 sex, how many years out -- how many years out and race.

11 As far as going out to minority students who are,
12 for instance, like, entering college, as opposed to those who
13 are in law school, I'm not familiar with any program that is
14 currently doing that within Legal Services -- in Legal
15 Services programs. But perhaps someone else is.

16 What we're currently doing -- what we are currently
17 doing at the Corporation is -- you know, Leslie Russell.
18 Leslie has been going out to various job fairs, and he has
19 been bringing a lot of information to job fairs and
20 consortiums of job fairs.

21 Like, I think about a month ago there was a --
22 there were, I think, six or seven law schools in Washington,

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1 D.C., that kind of got together, and we more or less had a
2 booth out there.

3 And Leslie was giving out information to students
4 who might be interest in careers in legal services. And this
5 was all students. It wasn't targeted to any particular group
6 of students.

7 So what Les did is that he gave out a lot of
8 information, took down names and addresses and things that
9 these students might be interested in.

10 And what he then did is then he provided it some of
11 the programs, saying, "Hey, maybe this somebody that you
12 might want to cultivate or contact that is probably
13 interested in a career in legal services, but didn't know a
14 lot about it, or maybe didn't know anything about it at all,
15 but has now learned about it. And maybe you want to kind of
16 target this person a little bit."

17 But it hasn't been targeted, Jo, simply to minority
18 law students.

19 MS. LOVE: See, this goes back to the beginning of
20 this. We all discussed this in recruiting young minorities,
21 starting out at the high school level in trying to recruit
22 these kids.

1 But if they don't know that these things are
2 available for them, even, you know, like doctors, nurses, for
3 instance, how are they to become interested being an attorney
4 if they don't know?

5 Maybe there is some way that -- other than just
6 sticking to Washington -- like Mississippi. They're very --
7 they're not educated to -- up on this kind of thing, because,
8 like, the average person has never heard of legal services.
9 They'll call it "secret service," anything but "legal
10 services."

11 So if they're not aware that this is available for
12 them, can't anything be done.

13 And back to the migrant, we'll just -- I'll switch,
14 for instance, like last week, there were three Mexicans that
15 were killed in a car accident -- of 17 in a van -- just out
16 of Tupelo.

17 And they were packed in this van and were killed,
18 so they threw them in jail for the immigration people to come
19 and get the other 14. To me, this was very sad, because they
20 were on their way to Washington -- I mean, to Florida for
21 work. If Mississippi had had some help for these people, I
22 think these three lives could have been saved.

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1 So this, to me, was just as bad as Texas. It still
2 was unnecessary lives lost, being packed in a van.

3 CHAIRMAN HALL: Jo, in response to you, you remind
4 me of my client who wanted to -- wanted me to secure him a
5 "writ of hocus pocus" for a "writ of habeas corpus," and the
6 other clients would always want to "flee bargain," instead of
7 "plea bargain," on your analogy of the "secret service"
8 reference. But you're exactly right about the problem. The
9 problem is we don't have the money to do those things.

10 There are a lot of ways to make it known, and there
11 are a lot of ways for the recipients to -- you know, to get
12 the word out that they're there and what they do, and the
13 careers that they offer. If they had the money, they could
14 get the word out I think is really what it comes down to.

15 Are there any other questions?

16 Oh, Mr. President, I'm sorry.

17 MR. O'HARA: Well, just a comment, Mr. Chairman.
18 Thank you.

19 In response to your question, Ms. Love, I think
20 that what we have is a mixed bag here. The programs, on the
21 one hand, are trying to hire attorneys who are minority
22 groups, Native American or black or Hispanics, or whatever.

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1 One of the problems the programs have is that these
2 people come aboard and they get some experience, and almost
3 immediately they're taken up by large law firms who want to
4 have that representation in their firm.

5 And this is especially a problem with the Native
6 American groups. I spent some time out on the reservation
7 with them, and as they get the attorneys out of the law
8 schools and they get a year or year-and-a-half experience,
9 they're gone, because the law firms grab them off. And it's
10 the same with the blacks and Hispanics.

11 What we are trying to do is to work with the
12 programs, and with NLAD and TAG, to get out to these career
13 days, to let them know that this is a program that's out
14 there that can use your help, but they're faced with such
15 staggering loans, \$30,000, \$40,000.

16 Emilia told me of a conversation you had with one
17 young attorney who had -- was it a \$40,000 loan?

18 MS. DiSANTO: Yes.

19 MR. O'HARA: Would you tell Ms. Love what her
20 payments would be each month --

21 MS. DiSANTO: Way too high.

22 MR. O'HARA: -- remembering that these attorneys

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1 generally start at about \$21,000 a year.

2 And with the current financial situation facing
3 this particular program, there really isn't any future as far
4 as salary advancement for some time.

5 So what was the monthly payment she had to make?

6 MS. DISANTO: Oh, I think it was better than \$250
7 or \$300 a month, because it was a low interest rate on it.
8 And that goes on for years -- years and years.

9 I mean, I can just say for myself, a \$10,000 loan
10 went on -- for \$150, went on for eight years -- I mean, just
11 from my own experience. So you can imagine if you double and
12 triple that what it is on a monthly basis.

13 MR. O'HARA: So we have all of these things facing
14 us, and we have been working individually with some members
15 of Congress with getting a loan forgiveness program going.
16 It takes time.

17 And in the general economic situation right now,
18 we're not very high on the totem pole of being looked at and
19 accommodated.

20 But we have had programs in the past, especially in
21 the medical profession, where attorneys have had their
22 federal loan, that part of the loan which was federal,

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1 forgiven for a commitment of maybe seven or eight years.

2 And it would be forgiven on the basis of \$5,000 the
3 first year, \$10,000 the second year, \$15,000 the third year,
4 of up to \$30,000.

5 Those are the kinds of loans that, if we could get
6 a program going on forgiveness, we would be able to retain
7 those attorneys for a period of years.

8 And maybe in that time the seed would be planted,
9 that they would commit themselves to a lifetime in this. As
10 many of the executive directors we have now have been in the
11 program for 18, 20, 22 years, and that's a positive
12 commitment that's out there.

13 So these are all the things that we're exploring in
14 the Corporation, working in the field.

15 CHAIRMAN HALL: Any others?

16 (No response.)

17 CHAIRMAN HALL: Thank you, Emilia.

18 We'll move on now to our last topic on the agenda,
19 which is the consideration of a draft request for proposals
20 for grantee timekeeping.

21 And I recognize Susan Sparks to give us the report
22 on that one.

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1 MS. SPARKS: Thank you, Mr. Chairman.

2 CHAIRMAN HALL: Thank you.

3 ~~CONFIDENTIAL~~ DRAFT REQUEST FOR PROPOSALS
4 FOR GRANTEE TIMEKEEPING MECHANISM

5 MS. SPARKS: For the record, my name is Susan
6 Sparks, and I am director of the Corporation's Office of
7 Monitoring, Auditing, and Compliance.

8 You may recall at the last meeting of the Audit and
9 Appropriations Committee, Mr. Uddo expressed some concern
10 over the fact that the \$300,000 set aside for timekeeping had
11 not yet been used.

12 And he asked staff to develop a draft solicitation
13 for timekeeper proposals for this meeting, and that should
14 have been provided to you last week, which I understand it
15 was.

16 The proposal was developed by a group of
17 individuals at the Corporation under Emilia's direction.
18 Ellen Smead and Russie Walker did a good deal of work on
19 this, together with Patricia Grigsby from my office and David
20 Richardson.

21 We established the goal -- and it's one to
22 encourage flexibility and creativity on the part of the

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1 recipients.

2 We are asking them to take a look at their program,
3 to identify their needs, to identify their objectives, and to
4 come forward with a budget in hand and request the funds that
5 are available to fund a record-keeping system or a
6 timekeeping system.

7 We will allow programs to come forward to upgrade
8 existing systems. They may be programs that don't have
9 computer hardware that would allow them to have an automated
10 timekeeping system, will allow purchasing of computer
11 hardware for the purpose of timekeeping. A couple of other
12 aspects of the proposal I'll bring to your attention in the
13 time frame.

14 We hope to receive your input today and the input
15 of the Audit and Appropriations Committee and have the
16 closing date on August 2nd so that we can let out these funds
17 by the end of the fiscal year.

18 We're excited about it. We're hopeful that
19 recipients will take this opportunity to ask for the funds to
20 upgrade their system and to identify a timekeeping system
21 that will enhance their management capabilities.

22 Are there any questions?

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1 CHAIRMAN HALL: Susan, how many field programs
2 currently have some type of timekeeping in place now? Do we
3 know?

4 MS. SPARKS: We don't know the exact numbers, but
5 about 25 percent of our programs keep time according to cases
6 in what we would call a fully developed timekeeping system,
7 if you will.

8 Other programs, we do have regulations that require
9 some form of timekeeping and PAI in legislative and
10 administrative advocacy.

11 So there is some form of timekeeping and time and
12 attendance in most all programs, but from the standpoint of
13 the type of timekeeping that we would like to see come in,
14 probably 25 percent -- or probably some more since the time
15 of that number, of '89.

16 CHAIRMAN HALL: Are there questions from other
17 Board members or committee members?

18 Norm Shumway.

19 MR. SHUMWAY: Susan, I notice, on the first page of
20 your proposal, the minimum criteria, the footnote identifies
21 three. But not among those three is any kind of reporting as
22 to what type of case the attorneys may be working on.

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1 Is that too controversial to set forth as a
2 criterion, or -- because it seems to me that that information
3 would be quite helpful to this Board if we knew essentially
4 what kind of matters were being worked on.

5 MS. SPARKS: I think, Mr. Shumway -- two parts to
6 your question: I think that recipients who do take this
7 opportunity to put in a system that meets their needs, most
8 of them will identify systems that accomplish exactly what
9 you set forth, that will track time according to cases and
10 type of activity.

11 The criteria -- just to clarify, the criteria set
12 forth in the memorandum was the criteria that was part of the
13 proposal you considered last year. It was more of a
14 direction that -- where staff was a year ago.

15 We've eliminated that criteria in this proposal in
16 an attempt to remove any perceived barriers or obstacles to
17 programs coming forward to ask for the funds.

18 MR. SHUMWAY: So it will be entirely of their own
19 making. And if they choose to tell us what kind of legal
20 services they're providing or not, it's up to them?

21 MS. SPARKS: That's right. There is language in
22 the proposal that recipients are encouraged to develop

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1 time-keeping systems, for example, that segregate LSC and
2 non-LSC fundings, but it is not going to be a criteria for
3 the grant.

4 There is some language in the selection criteria
5 and in a discussion of the program narrative that may be
6 helpful for you, where in our suggestions of questions they
7 may want to contemplate in writing their program there for
8 this grant, we hope that they may consider some of these
9 criteria.

10 CHAIRMAN HALL: Anything further?

11 Mr. Wittgraf.

12 MR. WITTGRAF: Thank you, Mr. Chairman.

13 A couple of questions, Ms. Sparks. I was wondering
14 about the time frame that you had set out in the proposal,
15 and you did actually discuss it in a little more detail
16 already than is in the proposal.

17 My question was really was one of whether or not it
18 was possible to move even a little more quickly than is
19 projected on page 6.

20 And as I heard you discuss then why the June 5th
21 being the publication date, you did have the expanded staff
22 review and then the review with representatives of the field,

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1 both of which I certainly think are appropriate.

2 Even so, do you think that it's possible to go to
3 publication sooner, June 1st or some other time? And I don't
4 want to hurry it inappropriately.

5 I suppose my greatest concern to get a sense of
6 what kind of interest there is in this, you will recall that
7 under Mr. Uddo's leadership we have included a request for a
8 little more money for timekeeping initiatives in our fiscal
9 '94 budget proposal.

10 And if we were able to glean anything from the
11 response here, we might able to have some -- to take that
12 information to the appropriations process for Fiscal Year '94
13 and to have some impact or to lend some additional support or
14 credence to our request for a little bit more money. You
15 know, how much interest, how much need is there?

16 And that's why I'm looking, all other things being
17 equal, at the possibility of going to the field sooner. And
18 I don't know that you -- that my comment requires a response
19 or an answer necessarily, but it's a concern or a suggestion
20 from me at least that, if possible, you move even more
21 quickly, with at least that one end in mind.

22 MS. SPARKS: My sense, Mr. Wittgraf, will be is if

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1 the input from the field is positive, if we're all in sync,
2 there should be no reason why we couldn't move sooner.

3 MR. WITTGRAF: Okay. And it wouldn't be a lot
4 sooner, I realize, maybe 15 days. But even at that, I think
5 it might be important, because then if we were getting the --
6 if we moved to a mid-July proposal receipt deadline, we could
7 have a good sense of what interest in or need for such monies
8 there is.

9 Second inquiry: On page 3, where you describe,
10 under letter E, the so-called award process, in the second
11 paragraph of that -- and I quote the first sentence --
12 "Proposals will be evaluated by a committee composed of LSC
13 staff and other interested parties, including representatives
14 from LSC-funded programs as determined necessary."

15 You have already described getting input into the
16 solicitation from field representatives. I wonder why, in a
17 sense, those last three words, "as determined necessary,"
18 were added to the solicitation here?

19 I guess, in looking particularly at the example of
20 the migrant ADR solicitation -- and I don't remember the
21 exact wording there.

22 But if I've understood what's going on,

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1 representatives from LSC-funded programs are a part of that
2 review process, I can't imagine why that wouldn't be the case
3 here. And that's why I wondered about that sort of elastic
4 clause being added, those three words.

5 MS. SPARKS: Well, there's no reason. Thank you
6 for your input. It can -- we are right now considering a
7 group of six people, three from the Corporation, three from
8 the field.

9 MR. WITTGRAF: I would just take those words out if
10 it were me.

11 MS. SPARKS: Okay.

12 MR. WITTGRAF: I understand that ultimately the
13 president has the say on this, just as on the migrant aide.
14 They are grants, but I see little to be gained by that
15 elastic clause.

16 MS. SPARKS: Thank you.

17 MR. WITTGRAF: Thank you, Mr. Chairman.

18 CHAIRMAN HALL: Thank you, Mr. Wittgraf.

19 Are there any other questions?

20 (No response.)

21 CHAIRMAN HALL: Thank you, Susan.

22 Before I entertain a motion to adjourn, I want

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1 recognize -- Mr. Uddo has joined us.

2 And with that, I'll entertain a motion to adjourn.

3 Do I hear one?

4 M O T I O N

5 MR. SHUMWAY: So moved.

6 CHAIRMAN HALL: Do I hear a second?

7 MS. WOLBECK: Second.

8 CHAIRMAN HALL: And all in favor of adjourning, say
9 aye.

10 (Chorus of ayes.)

11 CHAIRMAN HALL: Opposed, no.

12 (No response.)

13 CHAIRMAN HALL: The ayes have it.

14 We're adjourned.

15 (Whereupon, at 12 noon, the committee meeting of
16 the Board of Directors was adjourned.)

17 * * * * *

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