

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

SEARCH COMMITTEE

Saturday, May 1, 2004
12:25 P.M.

University of Maryland
School of Law
500 West Baltimore Street
Baltimore, Maryland
Moot Court Room

BOARD MEMBERS PRESENT:

Frank B. Strickland, Chair
Lillian R. BeVier
Robert J. Dieter
David Hall
Herbert S. Garten
Thomas R. Meites
Michael D. McKay
Maria Luisa Mercado
Florentino Subia

STAFF AND PUBLIC PRESENT:

Helaine M. Barnett, President
Victor M. Fortuno, Vice-President for Legal Affairs
John Eidleman, Acting Vice-President for Compliance
and Administration
Lynn A. Bulan, Senior Assistant General Counsel
Mattie Condray, Senior Assistant General Counsel
Leonard Koczur, Acting Inspector General
Laurie Tarantowicz, Counsel & Assistant Inspector General
David Maddox, Assistant Inspector General for Resource
Management
Karen Dozier, Executive Assistant to the President
Patricia Batie, Manager of Board Operations
David Richardson, Treasurer/Comptroller
Lisa Rosenberg, Congressional Liaison
Bernice Phillips (Nominee)
William Whitehurst, Jr. (Advisory Member)
Don Saunders, National Legal Aid & Defender Association
Hannah Lieberman, Legal Aid Bureau

CONTENTS

	P a g e
Approval of agenda.	3
Approval of agenda, as amended.	3
Search Committee Report.	4
Questions by Board Members.	6
Public Comment.	11
Questions from Board Members.	12
Approval of Search Committee's Minutes of January 30, 2004 meeting.	14
Consider and act on adjournment of meeting.	15
MOTIONS: 3, 14, 15	

P R O C E E D I N G S

MR. STRICKLAND: Let me call to order a meeting of the Search Committee of the Board of Directors of the Legal Services Corporation. And with respect to the agenda that appears in your book, the first item is to approve the agenda. And I'd like to entertain a Motion to Amend the Agenda so as to provide for the receipt of the report from the Chair.

M O T I O N

MS. MERCADO: So moved.

MR. STRICKLAND: And is there a second to that?

MR. MEITES: Second.

MR. STRICKLAND: All those in favor of that motion, please say aye .

(A chorus of ayes.)

MR. STRICKLAND: Those opposed nay. And the amendment is adopted.

So the agenda now would be to receive our, in other words, all of our other agenda items -- except for the future activity of the Committee -- and the public comment is replaced by a receipt of a report. So I, with that amendment, I would entertain a Motion to Approve the Agenda, as amended.

M O T I O N

MS. BeVIER: So moved.

MR. STRICKLAND: Is there a second?

MR. HALL: Second.

MR. STRICKLAND: Those in favor?

(A chorus of ayes.)

MR. STRICKLAND: All right. The, with the amended agenda, here's the report. After a further review of the previous activities of the Search Committee relative to, or the process by which Inspectors General were employed by the Corporation -- there've only been two. That's correct, isn't it?

MR. McKAY: Yes.

MR. STRICKLAND: One was appointed by President, our previous President; another was selected with what we call an internal search process. That is one conducted by LSC, itself. There's not a legal or policy requirement in that we engage a certificate of firm, as such, to do this for us. And you stop to think about it, the universe of possible applicants is pretty narrow. So under all those circumstances I thought it would be best that we not, that the corporation not expend the substantial minority fee that is imposed by the national search firms. In other words, we were truly conducting a national search for our President, but I think the universe for Inspectors General is pretty much around the Washington, D.C. area. That's where that work is done by the people who do it.

So having said all that, I decided that it would be best that we not make that expenditure and that we simply go ahead and publish a notice very similar to the one that we had published for -- previously, so we have done that. We have posted this notice. I'm going to hand this notice around. This notice has been posted on the Inspector General website, which we think will generate, perhaps, the most interest. ^it's ^ its on the LSC website, and it will be posted on the ABA Net as soon as we can get into the position of having them do that. We were not able to meet their deadline. And the notice provides that applications will be forwarded to Vic Fortuno in his capacity as, primarily as corporate secretary. And it's our intention to have those applications received by him by May 31st. And after that, after we gather those applications, then we will decide -- well, we may have to decide today exactly when our next meeting will be, but the general idea is to have those general applications screened by the Committee and boil those down to some people we'd like to interview. And after that or, perhaps, even in connection with that process, if we're going to do any reference checking, we would ask our Department of Human Resources to do that. They're regularly in the business of checking references. And if we get down to a need to do a criminal investigation or

record inquiry, then there are firms who are in the business of doing that, and we would engage one of those firms. So I think by doing all of those things that we can save some money. And other than that, that completes the Chair's report on that. And other than that, I -- there's, ^I don't ^ I won't intend to take up any other business of the Committee today unless there are any questions or comments that would require us to do so.

And are there any questions from members of the Committee or other Board members?

MR. HALL: Just a comment. And I know this is implicit in our undertaking. I think one of the things that comes with having a search firm is this notion that you can have someone focusing a lot on trying to make sure it's a diverse pool. And I would just, you know, encourage us, even with our internal process, to try to use our internal efforts to keep that goal in front of us as we go through this process. So that would be my only comment.

MR. STRICKLAND: I would agree with you entirely, and we will endeavor to do that. I do think we have to be mindful of the fact that the, as I said at the outset, that the -- I don't claim to be an expert on the, what I'd call the IG world, but I think that there only a certain number of people who are interested in being Inspectors

General. And to the extent that we can encourage a

diverse response to our notice, we'll certainly do that.

But we could be overtaken by circumstances if we get a pool of applicants that doesn't necessarily fit that.

And ^I don't ^ I won't -- I would accept your suggestion on how, or any further suggestion you might have on how to improve upon that if, as a member of the Committee, if the applicant pool doesn't present itself in that fashion.

MR. HALL: Mm-hmm.

MR. STRICKLAND: I don't know exactly what we would do in regard to that, because the impression I have is it's small universe of possible applicants for the IG position.

MR. HALL: Yeah. I guess my only concern would be -- and I'm not familiar with the support issue, but if there is a way in which we could find out people who already operate in those types of positions -- I mean, I think there's nothing wrong with us encouraging someone to apply --

MR. STRICKLAND: ^oh ^ owe, that. Right.

MR. HALL: -- ^who's ^ whose ^ who is already doing that work who could give us a more diverse pool. And I would hope there would be other individuals who may not have had, though, that type of experience but have had similarly, similar experiences who we might also insure that the notice goes

out to. So I don't know if that's staff responsibility but seemed like we should at least be thinking in those terms as we, you know, go through this process. If it were -- and I agree with you not to have an external search firm, but if you did that would be the person who we could charge with doing --

MR. STRICKLAND: Right.

MR. HALL: -- some of those things. So if we are not going to do that, then I do think we would have to ask staff to ^spend ^ suspend ^ spent some time. And I'm certainly willing to, you know, work with whomever just to try to focus on that particular area as we go through the process.

MR. GARTEN: Frank?

MR. STRICKLAND: Yes, sir.

MR. GARTEN: There's a growing field of forensic accountants and the specs for this job would seem to indicate that that would be one of the qualifications. I'm wondering if there's any professional organization of Inspector Generals, if such, that you might post with or advise.

MR. STRICKLAND: We have posted the notice on what I'm calling the IG website, the Inspector General website. I don't know who looks at that, but our intent by posting it there was to -- maybe Vic can address that further -- but was to get the attention of the, let's say

the people in the industry, and the IG industry, as such, who do that kind of work who might be interested in a position with a smaller agency, as the Inspector General as opposed to a Deputy or something of that sort. If's it's some forensic accountant organization, that's a good idea. We can find out if they have a point of contact and get the notice in front of that group, as well.

MR. GARTEN: Or even directly, inquiry through the American Institute of CPA's, and that would broaden your field, also .

MR. STRICKLAND: Yes. Yes. Right.

MR. GARTEN: See what and they would recommend.

MR. STRICKLAND: Vic, can you tell us about the IG website?

MR. FORTUNO: There we've, so far we've posted it on the LSC website, the ABA's -- and the IG website to which Frank referred is not our Inspector General's website, but something called IG Net which is kind of a clearinghouse and they, in fact, have a place on their website for postings for Inspectors General and others in that ^field ^ feeled, so that will appear on there as well. We can check. We can have OPM post it for us, and we can also contact specialized bars and professional organizations.

So far, what's happened is it's gone to the three, that is, the ABA, the IG Net and it's on the LSC

website under Employment Opportunities. And there's also a feature on the first page. So as you go onto our home page you'll see a link there, and then click on the link and go right to the posting. But I think that certainly we're happy to post it as widely as you'd like us to. And any suggestions that you have for places where it might appear, we -- certainly this is something that we need to make sure conforms to the instructions of the Committee. But I assumed that the Committee would like us to post it widely and disseminate it as fully as possible, and we're certainly happy to do that.

MR. STRICKLAND: Why don't we, based on the suggestions we've received here from Committee Members and Members of the Board, take a look and see if there's a forensic accountant organization. Maybe we can find that out through the AICPA, in addition to their own suggestion -- that is, the AICPA suggestion -- about a post that would reach that audience. And that's going to be, I think, a much larger universe of people, of potential candidates than my understanding of the IG get, which more or less reaches that industry group, if you will. Is that your understanding of it?

MR. FORTUNO: Yes, I think so. And --

MR. STRICKLAND: You work in the IG world.

MR. FORTUNO: Most who are in that line of work

now do frequent that website because ^it's ^ its got all sorts of information and valuable links for their day-to-day operations. So I suspect that anyone who's in that line of work who is looking around for other opportunities would just click on their vacancies button and take a look at the positions that are available.

But, as I said, we'll also see about getting it on the Office of Personnel Management website, and we'll look into all of the other options that have been touched on here today, as well.

MR. STRICKLAND: All right. Bill, did you have a comment?

MR. WHITEHURST: I just have a question. What is actually being posted on the websites --

MR. STRICKLAND: Oh.

MR. WHITEHURST: -- what information?

MR. STRICKLAND: This is it right here.

MR. WHITEHURST: ^oh ^ owe, I haven't seen that. Okay.

MR. STRICKLAND: I handed it around, but I didn't -- I forgot to hand that to you.

MR. WHITEHURST: That's okay.

MS. BeVIER: Here's an extra.

MR. STRICKLAND: He's got one.

MR. WHITEHURST: I got one.

MR. GARTEN: Frank?

MR. STRICKLAND: Yeah?

MR. GARTEN: This expected the person to reside
or willing to relocate to the Washington, D.C. area?

MR. STRICKLAND: I don't know that it says that

--

MR. GARTEN: It doesn't.

MR. STRICKLAND: -- but it is a Washington-based
position.

MR. GARTEN: Mm-hmm.

MR. STRICKLAND: And is there a way we can amend
our posting to --

MR. FORTUNO: Sure.

MR. STRICKLAND: -- once it's posted?

MR. FORTUNO: We can contact --

MR. STRICKLAND: I think -- as we put in the
President notice, that it is a position located in
Washington, D.C.?

MR. FORTUNO: Will do.

MR. STRICKLAND: Yeah, we -- I certainly don't
intend that to be a commuter position. Yes?

MS. MERCADO: Were we putting this notice in any
kind of print or trade publications, other than the
Internet?

MR. STRICKLAND: Not, not just yet.

MS. MERCADO: Okay.

MR. STRICKLAND: And I don't know whether that's a good expenditure of funds. And I don't know what it costs The Legal Times or something like that. We can investigate that. I mean, I think we can run a couple of print ads for a lot less money than our search firm would have cost just in terms of minimum fee. And the print ads and so on would have been the costs in addition to that.

But the main thing we're trying to do ^here ^ hear is not incur that substantial expenditures for what appears to be a very narrowly focused search. And when I say *narrowly focused*, I'm talking about industry as opposed to field of candidates. I don't mean to say, and hope David didn't hear me just say, when I used the word *narrowly* defined, I didn't -- what I meant was they're not a whole lot of people that are in the IG business. That's what I meant by --

MR. HALL: That's fine.

MR. STRICKLAND: -- that's what I meant by that.

Okay. That's all I had on the notice. There are -- are there any other comments or questions from Board Members, or from the public?

(No response.)

MR. STRICKLAND: All right. Then I would entertain a Motion to -- well, let's see. We will have another meeting of the Search Committee whenever we have

our Board Meeting. I mean, we'll, I think we'll have a, routinely have a meeting of our Search Committee until we finish with this task.

Yes, sir.

MR. HALL: One other thing, though. We didn't approve the minutes.

MR. STRICKLAND: ^oh ^ owe, I -- sure, I should have done that.

MR. HALL: Well, the minutes read that --

MR. STRICKLAND: You and Rob Dieter -- were other Members present ?

MR. HALL: Yes.

MR. STRICKLAND: And you should be listed.

MR. HALL: We should be listed as Committee Members.

MR. STRICKLAND: All right. I'm sorry. I didn't do that. I should have done that. I would entertain a Motion to Approve the Committee's Minutes from January 30th with the amendment that Rob Dieter and David Hall should be shown as Members of the Committee who were in attendance as opposed to the Board Members present. And with that amendment, is there a Motion to Approve the Minutes?

MOTION

MR. HALL: So moved.

MR. DIETER: So moved.

MR. STRICKLAND: Is second?

MR. DIETER: Second that.

MR. STRICKLAND: All right. All those in favor approving the minutes, please say aye.

(A chorus of ayes.)

MR. STRICKLAND: Those opposed, nay. The ayes have it, so the minutes are approved.

Any other business for the Committee, or any public comments?

(No response.)

MR. STRICKLAND: Hearing none, I would entertain a Motion to Adjourn the Committee

M O T I O N

MR. HALL: So moved.

MS. BeVIER: So moved.

MR. STRICKLAND: Committee is adjourned.

MS. BeVIER: Are you going to lunch now, or visit the clinics?

MR. STRICKLAND: We're going to go lunch, and then we're going to try to arrange a tour for the clinic facilities immediately after lunch and before we reconvene at 2 o'clock. Our Board meeting would be at two.

(At 12:45 p.m., proceedings were adjourned.)

