

LEGAL SERVICES CORPORATION  
BOARD OF DIRECTORS

PROVISION FOR THE DELIVERY OF LEGAL  
SERVICES COMMITTEE

Friday, June 4, 2004

2:03 p.m.

The Hilton Omaha  
1001 Cass Street  
Omaha, Nebraska

COMMITTEE MEMBERS PRESENT:

David Hall, Chair  
Lillian R. BeVier  
Maria Luisa Mercado  
Florentino A. Subia  
Michael D. McKay  
Frank B. Strickland (ex officio)

OTHER BOARD MEMBERS PRESENT:

Thomas A. Fuentes  
 Robert J. Dieter  
 Herbert S. Garten  
 Thomas R. Meites  
 Ernestine Watlington

STAFF AND PUBLIC PRESENT:

Helaine M. Barnett, President  
 Victor M. Fortuno, Vice President and General Counsel  
 Randi Youells, Vice President for Programs  
 David L. Richardson, Treasurer and Comptroller  
 Leonard Koczur, Acting Inspector General  
 Mattie C. Condray, Senior Assistant General Counsel  
 Laurie Tarantowicz, Assistant Inspector General and  
 Legal Counsel  
 John C. Eidleman, Acting Vice President for Compliance and  
 Administration  
 David Maddox, Assistant Inspector General for Resource  
 Management  
 Reginald Haley, Program Analyst  
 Patricia Batie, Manager of Board Operations  
 Dennis Groenenboom, Executive Director, Iowa Legal Aid  
 Scott Hartsook, Managing Attorney, Legal Hotline for Older  
 Iowans, Iowa Legal Aid  
 Gail Klearman, Managing Attorney, Survivors and Families  
 Rural Access Project, Iowa Legal Aid  
 Frank Tenuta, Managing Attorney, Northwest Regional  
 Office, Iowa Legal Aid  
 Jill Swope, client, Iowa Legal Aid  
 Pat McClintock, Deputy Director/Program Administrator and  
 Manager of Technology Innovations, Iowa Legal Aid  
 Scott Buchanan, President, Board of Directors, Iowa Legal  
 Aid  
 Diane Kutcko, Iowa Legal Aid  
 J.C. Salvo, President-Elect, Iowa State Bar Association  
 Rich Teitelman, Justice, Missouri Supreme Court  
 Linda Perle, CLASP  
 Julie Clark, NLADA

Lillian Johnson, Attorney, Phoenix, Arizona  
Lillian Moy, Legal Aid Society of Northeast New York  
Doug Cummings, East River Legal Services

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## P R O C E E D I N G S

MR. HALL: We're going to now call to order the Provisions Committee meeting. And I'd like to welcome all of our board members and our president here and especially welcome all of our guests.

We have had a wonderful morning, seen interesting parts of Nebraska and learning a whole lot, and I am confident we were going to learn even more now.

I'd like to start out by getting an approval of the agenda, and I would ask if there are no objections to the agenda as it is outlined, that we could go forward.

## M O T I O N

MS. MERCADO: Mr. Chairman, I move approval of the agenda as presented.

MR. HALL: Second?

MR. SUBIA: Second.

MR. HALL: All in favor?

(Chorus of ayes.)

MR. HALL: Okay. Opposed?

(No response.)

MR. HALL: Also, we need to approve our minutes from

the meeting of April 30, 2004. Could I get a motion to approve?

M O T I O N

MS. MERCADO: So moved.

MR. HALL: Second?

MR. SUBIA: Second

MR. HALL: All in favor?

(Chorus of ayes.)

MR. HALL: Any against?

(No response.)

MR. HALL: Okay. Having approved the agenda and the minutes, we will move to our major items. We have two major items today on our agenda. The first one is a continuation of our journey this morning. We felt that coming -- the Provisions Committee in particular -- felt that coming to this area, one of the things that would be important to us is to begin to focus on some of the challenges relating to rural delivery.

As certainly our board members know and those who have been with us, the Provisions Committee has been focused a lot on the idea of quality and trying to define what does

quality legal services mean, how do we measure it, how do we support people who are engaged in providing quality legal services.

And one of the things that's clear to us is that there are certain challenges in regards to quality delivery in certain environments and that if we as a board or as a committee need to understand that, then we need to hear about what those challenges are and to be able to try to fashion programs and standards that reflect that variety.

So we are delighted to have a group of distinguished representatives who are going to share with us some information about the challenges and opportunities in regards to rural delivery. We heard a lot and saw a lot about Nebraska, and now we are going to be honored to hear some more insights on this same topic from Iowa and individuals who do work in Iowa and also from a client in that area.

To start the presentations, I would just like to introduce Dennis Groenenboom, who is the executive director of Iowa Legal Aid, who has brought along other individuals from the organization, and as I said, even a client. And so I would ask Dennis to introduce the other presenters. And we'd



like to, on behalf of the committee and the board, welcome all of you here to the Provisions Committee. Dennis?

MR. GROENENBOOM: Thank you, Professor Hall. Welcome to the Midwest, and we look forward to this opportunity to talk about delivery of services in Iowa. For those of you who have heard me talk before, you know this isn't my normal voice, but it's much better than yesterday when I didn't have one at all. So I'm very hopeful that the voice will hold out and I will be able to complete the presentation.

For many of us at this table, working and delivering legal aid to low income people is our life's work, so we very much appreciate the opportunity to talk about that. We wanted to talk about quality and ensuring quality from a standpoint of the delivery of services in Iowa. And I'm going to start that with a discussion about the structure. Because the structure of the Iowa program is important to talking about the delivery.

We're then going to go to how that plays out with other people. And I'm going to go ahead and introduce all the people sitting at the table here at this point.

Frank Tenuta is managing attorney of our Northwest Regional Office in Sioux City. At this point he's doing double duty and also managing our office in Council Bluffs, which is just across the river from Omaha. And he's going to talk about how that structure plays out into a regional office setting in the delivery of services through a regional office.

Next is Gail Klearman -- I'm skipping here. Gail is the manager of our Survivors and Families Rural Access Project, a Department of Justice-funded project. And we'll talk about quality and the structure and how it plays out in the issues that we confront from the standpoint of a special project serving survivors of domestic violence.

Next, Jill Swope is a client who has been served by that project, and she will be talking about the services she's received.

Then Scott Hartsook is the manager of our hotline, legal hotline for older Iowans, and Scott will talk about our services mainly from the standpoint of outreach and community education and how we serve isolated populations and how we assure quality in that situation.

And then finally, Pat McClintock, sitting next to

me, will talk about how we use technology, and specifically the grants that we've received from LSC under the Technology Initiative Grants to also address issues of quality services.

In starting off, I think that it's important to put it into context. When I was at a meeting, two weeks ago today as a matter of fact, in Chicago with President Barnett, she talked about how it was important to not just ensure equal access, but it's equal justice that we're after. And that really is what we have strived to do in our work in building a structure for Iowa legal aid.

Pat, can you go back to the prior slide, or is it possible to go back? Well, we won't do that.

The first slide had a picture of the state of Iowa and it showed where the ten regional offices were located. Frank will talk more about some of those distances involved, and you certainly got a feel for that this morning about how far it can be to get to some of those offices.

In Iowa we have -- there are 99 counties. There are 10 offices that serve those 99 counties. Until January 1 of 2003, there were two programs, one providing services in Polk County, and the other providing services in the other 98

counties. Those programs merged to form Iowa Legal Aid January 1 of 2003.

I know there's some sense that programs really only provide services in urban areas, and even rural programs are really providing services to the population centers, and that's not the case in Iowa Legal Aid. We provide services to low income people in every county every year, and that's largely through outreach and education that you'll hear more about in a few minutes.

The structure that's on this slide is important to take a look at to see kind of how we are put together. We have a board of directors. They hire the executive director.

There are three deputy directors that I'll talk more about in a couple of minutes, and then managing attorneys of each regional office or project. Gail, Scott, Frank are all managing attorneys of a project or a regional office.

They then have a local advisory council that provides a connection to that local community that's composed of attorneys, client-eligible individuals and representatives from service providers that help make sure that we have connections and feedback from the community.

Other significant aspects of the organizational structure is we have a volunteer lawyers project that provides services to low income people that are referred to them on a pro bono basis, and then also community legal education and outreach that Frank will talk about more, and Scott. It's a very important part of our effort to make sure that people do know of our availability.

Looking at the litigation director and how that system works, I think that the fact that we have litigation directors, we have two different litigation directors, I think that's very important to the quality services that we're able to provide. We have one, Chris Luzzie, located in our office in Iowa City, and Jim Elliott in Des Moines. They divide the state geographically so the five offices closest to Christ are the ones she's responsible for working with kind of on an ongoing basis, and then they also divide substantive responsibilities so that anybody in the state will be calling Chris with a family law problem and Jim with an income maintenance problem, for example.

So those are I think important ways to look at the role that litigation directors provide in ensuring quality.

Another significant part of the structure that we have in place is making sure that there is communication and training provided. With far-flung offices, with staff of varying experience levels, it's very important that we stay in contact with them.

I don't get out, and the deputy directors don't get out in those offices as often as we would like to, but we have regular communication with them and we make sure that there's ongoing training provided to new advocates and then to advocates on an ongoing basis to make sure that they have their continuing legal education credits and also make sure that they are up to date on the new and emerging issues that our clients confront.

The next part of the structure that I think is important for quality is the evaluation of services. And we do that through staff evaluations. The executive director to support staff, they're all evaluated. And we have a unionized program so there's a structure for dealing with those types of things.

I think we've skipped a couple here. We have program evaluations through reports that we provide to LSC and

to other funding sources when we are evaluating services provided. We are evaluated by clients who provide client satisfaction surveys to us in cases that are closed, so we're getting feedback from clients.

And we also periodically do a needs assessment and interview key members of the community in getting their feedback about the services that are provided to the clients that we serve, and the way we interact with the community.

In addition to that structure that I've outlined, we also have a -- we're fortunate to have people. And that's the other part of it that ensures quality. And Iowa Legal Aid I think has been fortunate to have a board of directors that is very supportive of the program. Two of them in fact are here today. Scott Buchanan in the front row is the current president of our board of directors, and Diane Kutzko, sitting next to him, is the immediate past president of the board and currently serves on the SCLAID Committee of the ABA.

This picture shows where our board members are located around the state, which shows that we are again getting feedback and information out to the community disbursed throughout the state.

We have an experienced staff. The years of experience -- and we're fortunate to have had a very stable staff. Between the deputy directors and the executive director, they have a total of 60 years of experience in their current positions and over 100 years of experience among the four of them working with Iowa Legal Aid. So we're fortunate to have stability there.

We also have experience levels in managing attorneys, because sometimes you're working with new staff attorneys, and our managing attorneys, this graphic shows the experience level of our managers and how long they have been managers. And even though two of them have only been managers for a year, they still have substantial experience as lawyers.

So having that type of structure to be able to maintain staff and retain staff is important to ensuring quality.

And the other one that I would mention that is important to ensuring quality and support is we've had incredible support from the Iowa State Bar Association really over all of our years, but it took on a new level in the mid-1990s when there was significant reduction in federal funding and the Iowa State Bar Association provided leadership



in obtaining state funding, and they've always provided leadership with regard to pro bono efforts.

That's again in evidence today. J.C. Salvo is sitting behind me. He's the president-elect of the Iowa State Bar Association and is just another in a long line of people who have provided a great deal of support to us.

How does this structure play out in providing quality services? I'm going to just briefly talk about the statistical numbers and then let other people take this over.

In 2003, we closed a little over 20,000 cases. This graphic shows the breakdown. Nearly 40 percent of those cases, or between 35 and 40 percent are family law, most of those involving domestic violence. And housing is the next largest percentage of cases closed.

We also have a significant part of our work is in community education and the matters that LSC under LSC's terminology matters, community legal education, outreach, the website. We have an Equal Justice Journal that goes out four times quarterly to about 7,000 households. We work a lot with other service providers in rural areas that Gail will talk about in domestic abuse coalitions.

Our Volunteer Lawyers Project, that I mentioned earlier, in 2003 closed about 2,500 cases. Fifteen thousand hours donated, about \$1.9 million is what the value of those donated services are.

So that gives you kind of a sense of what Iowa Legal Aid looks like. The most significant challenge we are facing right now is lost funding. We've lost a total between two years ago and this year 20 percent less funding than we had at that time. We had about \$6 million, and we're about \$4.5 million roughly now. The LSC funds have been reduced because of implementation of the 2000 census. State funding has been reduced because of state budget problems, and our elder funding has gone down by almost 50 percent because of reductions in interest rates and revenues available.

So with that, unless there are questions for me, I'll pass it to Frank.

MR. TENUTA: Thank you for letting us come and speak to you. The first thing I want to talk about is one of the issues that we've been dealing with for a number of years, and that is the changing population. And there's some figures from the census up there to give you an idea about how that's

affecting Iowa.

And then, if you want to go to the next one, Pat. This shows you the percentage of change in Hispanic population between the two censuses. And my corner of the state has always been the northwest corner there, and you can see there's a lot darker shading up there which indicates a higher percentage of change.

We've seen a real increase in the Hispanic population, and correlating with that an increase in the number of people who do not speak English as a first language and/or do not speak English very well at all. So one of the things that we've put a priority on is trying to get staff who speak Spanish, and that's something that we've been working on and recognized as a need for a number of years.

Currently we have one of the secretaries in the Sioux City office is a fluent Spanish speaker, and we also have a full time paralegal in our Iowa City office who speaks Spanish. And using our new technology in the phone system, we try to coordinate those so that we can have people spoken to in their native language to the extent possible. That's all I really wanted to say about that. It is something that's

really changed the way we do things, though.

The next thing I wanted to talk about is providing quality services, and I really want to do this by giving you example of a couple of cases. And, Pat, I'd like you to just leave this slide up. What this shows is some of the things that we have, the formal structures that we have set up to try and make sure that we provide quality services. And so over on the left corner there, and this has already been mentioned, we have two litigation directors, and then in sort of a formal structure underneath that, we have the managing attorneys and the staff attorneys, paralegals and support staff. So that's kind of how the structure works.

And then there are a number of formal mechanisms that allow the individuals to interact with each other. Staff meetings which are held in the regional offices to discuss cases, management meetings, which is meetings between the managers and the directors on a statewide basis.

And then also important to making sure there's good communication and people are aware of the issues that are going on is the use of the administrative memo, which is a memo that goes out every few days to every office and it's an

opportunity for attorneys who are working on cases or have gotten decisions to let the other attorneys know what some of the issues are that they're looking at.

And then one of the other major ways that the strategy is done is through work groups, and those are particular groups which are set up to address issues in different substantive areas of laws. So there's a family law work group, a welfare work group, a work group that works with issues involving people with disabilities, that kind of thing.

And then of course we already talked a little bit about staff evaluations and satisfaction surveys.

So we have this formal setup. Oh, the one thing I didn't mention up there is the IPAT. That's the sort of formal process we have when a complex or -- I guess a complex or significant legal issue is raised, we actually have a structure set up as to how we're going to deal with that to make sure that litigation directors are involved, and that especially applies in cases involving appeals. There are some specific rules set out so that if we're going to file a federal lawsuit in anything other than like a routine Social Security, it's supposed to go through this process. The same

thing, any kind of appeal to the Iowa Supreme Court or Iowa Court of Appeals or 8th Circuit.

So those are kind of some of the formal structures.

But to really give you an idea of how this works, what I wanted to do is just talk you through a couple of cases so that you could see going along how the process works and what a difference it makes.

The first one I'm going to talk about is a case that was just recently decided by the Iowa Supreme Court, and it's called In the Interest of SAJB. And this is a case where we had argued that an individual who was being threatened with termination of parental rights was entitled to a court-appointed attorney in cases where the termination was initiated by a private party.

Prior to this case under Iowa law, if the termination of parental rights was instigated through the public process, through the Department of Human Services and the county attorney involvement, then the individual did receive a court-appointed attorney but did not in this other situation where the termination was done or initiated by a private party.

So basically what happens is, the individual had contacted us requesting assistance with this. The support staff do they intake. They recognize that this is something that we do accept applications on, that there is a parental rights termination case going on.

The intake attorney who spoke to the individual in this particular case happened to be the managing attorney in the office who had had a lot of experience, and as soon as she talked to the person, she recognized that, hey, this was an issue that we had looked at in the past and were concerned about. And she also noted that they had been seeing increasing numbers of people contacting us requesting assistance in these private parental termination cases. And the number of cases that were being filed was more than we would be able to handle and provide representation. So she recognized this as being a significant issue.

Now once the intake comes in and an attorney talks to the person, gets some of the information, then the next step in the process is to go through what we call a staff meeting, and the attorney takes that to the staff meeting and the issue is discussed with the other staff attorneys in that

office. Now this provides an opportunity for input from the other attorneys as well as if they have experience or they remember that this is a significant issue that we're concerned about.

So at that staff meeting, the issue is discussed and it's recognized that this is an important issue, and it's also something that we should probably put our resources into because we see that this is an increasing problem.

At that point, a decision has to be made as to who the case is going to be assigned to, and in this case, it was assigned to an attorney with relatively small amount of experience. In fact, the case has already been decided, and usually these take a good year and a half to go through the system, and he's just now at the two years of experience. So when this case started, he really didn't have much experience at all. And there's no way he would have been able to do that case without the support system that we have built in.

So he was interested in doing that, and that's one of the other keys I think is important in having a quality program is not just having people experienced who know the issues, but also having some what I like to call youthful



enthusiasm; new people coming in who are interested and excited about doing something and making sure that justice happens.

Anyway, so he said, yeah, I want to do that. And, you know, from that point on, then he's told, well, you need to consult with the litigation director. And to make a much, much longer story more brief and to the point, this is an issue that we had dealt with a number of times over the years, so the litigation director is very well aware of it.

In fact, the first time it had been brought to the Iowa Supreme Court by a legal aid attorney was about 20 years ago, and that attorney was still working at legal aid and we had the brief that he had prepared. And there was another legal aid attorney who had more recently argued that issue. The issue had never been decided by the Supreme Court for I guess what I'd just refer to as technical reasons which aren't of real importance here.

But anyway, we had those resources. The connection is made to the litigation director, and then we also -- and so you can see all of these things that are up there, they have a significance.

And one other thing -- I mentioned the youthful enthusiasm -- the other thing I want to point out that I think is really important is not just these formal contacts but the informal contacts. The relationships among the staff. The fact that we are encouraged by the formality to have phone conversations with litigation directors halfway across the state, you develop a relationship with those people and you know who to call, and you know you don't have a second thought when an issue comes in. You know which person to call to get some advice about that. So those informal contacts within the structure I think are key as well.

And when we lost the request to get the court-appointed attorney before the district court, a decision was made to appeal, and then it went through that formal process for deciding whether we would do the appeal, and then the structure is there to help that new attorney make that argument, which, as I mentioned, was successful.

And so now because of that, a number of individuals who would have been faced with losing their parental rights are going to have court-appointed attorneys. And that's an area, as I mentioned, that we simply would not have had enough

staff to help out with.

One other case that I want to just talk about briefly is a case that's kind of significant to me because it was one that I was involved in. It's *In re the Guardianship of Haden*, and it's a case that I took to the Supreme Court that really established a number of rights for individuals who are under guardianship and recognize that we shouldn't be taking away individuals' rights to make decisions unless there is some really serious need for that.

And just a couple of interesting things about that, I think as I mentioned, the informal contacts that I have with the litigation director and the fact that we had recognized these issues through my experience in the past that this was a recurring thing was very significant.

And the other thing there is, these kind of cases require that you have a lot of contact with the people who are in agencies providing services. Because my client was a mentally retarded individual living in a county that's about 60 miles from Sioux City and would never had made connection with us had the agency that he was receiving services from not had that connection with us because of other clients that we

had served there.

And so the referral was made that way. And of course that kind of case is something that I guess you learned a little bit about this morning, involved a lot of travel and was a very interesting case and had a very good outcome for our client and a number of other clients.

One thing I want to mention, because it is kind of interesting and funny in an interesting sort of way. It has to do with travel, is that the county seat where the trial was supposed to be was about an hour and 15 minutes from Sioux City, but they only had one courtroom and court was double booked that day and the other trial didn't fall out.

And because the case had been continued a number of times, the court administration found that they could get another judge to come and do the case. And the judge said, that's fine. I'll come one county over for me. Well, that turned out to be two counties over from the county where the case was supposed to be, which to make a long story short, turned out to be a half hour drive for the judge and a three-hour drive for me.

But, you know, that's part of the job, and making

sure that you do take the time and don't just say, hey, we're not going to provide assistance in this case because it's too far to travel is important.

I've probably talked longer than I should, so I'll stop there, unless you have questions.

MS. KLEARMAN: When I started this job, I didn't need bifocals and I'm not going to blame this on Dennis, but -- hi. My name is Gail Klearman. I'm the manager of the SAFRAP Project. I have worked in settings outside of Iowa, and I know when you have a more urban setting, your office is often going to be a focal point for where clients can come, because it's a subway ride, it's a bus ride, it's an easy car ride to get there.

In Iowa we don't necessarily -- I mean, in Frank's office in Sioux City, clients are going to be there. Where I work in Des Moines, clients will come there. But clients from Webster County are not going to drive the 95 miles to my office. We go there. You have to find other ways to make contacts with clients so they know that there is -- not only do they have access to great legal services, but that they can actually get it. It's not just that it's out there, but it's

going to come to them and it's accessible.

I was going to talk about that. This shows the counties in Iowa SAFRAP. And here's some of our stuff that's in English and Spanish -- is the Survivors and Families Rural Access Project, which is funded by the Violence Against Women Act. And its purpose is to allow us to provide high quality legal representation to domestic abuse survivors to get their lives back together; not to just get out of a marriage where there has been domestic violence, but to put their whole lives together.

If they're about to lose their housing, we try to take care of that. If they need government benefits, they're disabled, they're staying with their abuser because they have no source of income, we will try to get them their Social Security, their unemployment, whatever it is that they need.

A problem that you have is that, as you probably have a sense now, these Midwest areas are large. There are not -- we only have ten offices. There are domestic violence shelters only in 32 of the counties. For a lot of survivors to get to a legal aid office, they may not be able to make it. And so what SAFRAP allows us to do is we get to go to them.

We have the equivalent of 3.25 attorneys in the project right now, and the offices that they are out of are the Sioux City office, the one in Pottawattamie County, which is Council Bluffs, the office in Des Moines, the office in Mason City and the office in Ottumwa. And if you're doing math, you're going to say that's more than three-and-a-quarter people. We have folks who are sharing positions and we have split positions.

When you are not actually physically located where the clients are, you cannot -- there's 99 counties in Iowa. We cannot get to all of them. So we have to collaborate. We have to have really tight relationships with the agencies that deal with these folks. With SAFRAP, that is built in, because we are partnered up with domestic violence shelters.

Jill, who is going to talk in a little bit, was working with us. She was working with the domestic violence organization in Creston. At the time Jill started with them, they didn't have an actual physical shelter, I believe. They now actually have places where they can house survivors. They didn't at the time. They would have to arrange safe houses.

If you're trying to get out of domestic violence and

you've got no place to put yourself and your kids, it makes it a lot more difficult. That is something that we're trying to deal with and that they're trying to deal with.

But we have attorneys who go out to these shelters on a monthly basis to actually meet with clients. We have in other areas of practice, not just in SAFRAP, we have attorneys who will go -- I usually go once or twice a month to a church in Fort Dodge, Iowa, to meet with clients. These clients could call us, but they really want to meet somebody face-to-face, and once they do that, they may feel more comfortable about talking to us on the phone. But they don't just want you to be somebody out there in the nether zone. They want to see who you are before they're going to come and tell you what their problem is and give us the opportunity to help them resolve it.

We work with area agencies on aging. I have in the last month been to a number of them talking to seniors about the new issues that are coming up with Medicare Part D and the Medicare prescription card. Because they're scared. They don't know what they're doing, and they want to know what's going on with that.



We have to have relationships with the shelters, with the area agencies on aging, with the United Ways, with all of the community action programs, because we're not necessarily going to be physically in the community where the clients are. But through our relationships and our collaborations with these other organizations, they will call us or they will send a client to us.

We work with clerks of court. Every time I'm in a courthouse in one of the rural counties, I post one of these for the SAFRAP project. It's got these little tear-off sheets so that it doesn't say that you're a domestic abuse survivor.

So if you are one, nobody's going to find this out, but it tells you how to get in contact with us. And the clerks, the county attorneys' offices, the city council folks love to have this because they're always getting the questions and we help them take of this.

I understand you folks have been driving all around Nebraska, so you have an idea of what the distances are that we work with. This is one of the ways that we deal with it. I don't know if anybody's talked to you about some of the problems. And I think Scott might be talking more about rural

poverty, and we may have had -- well, let's talk about the results in SAFRAP.

Part of our commitment is, since there are not enough of us, we want to train our pro bono attorneys to be able to represent clients. A lot of pro bono -- a lot of attorneys do not want to take domestic violence cases because they tend to be time consuming. There are a lot of issues that they may be uncomfortable dealing with, so we're training them.

The Iowa Communications Network is a system that has been set up. Every county is connected. You can have a TV and a video camera in -- we have them actually in a number of offices, Social Security buildings, federal buildings, and you can sit there and talk to somebody. We do our trainings in Des Moines. It can be broadcast throughout the state. People can participate.

I mean, we could be having this meeting and participating with people in Dubuque if we were set up. So we did that, and we helped train private attorneys on these issues.

We've also -- yeah. We've done a lot of

representation and provided a lot of help to a lot of domestic abuse survivors. Those are some of the numbers.

In addition, the thing -- and I think this is because when I started out in legal aid, I was doing a lot of government benefits -- I like the money, okay. We in 2003 got over \$155,000 for our clients. If a major impediment to leaving domestic abuse is that you can't afford to, then getting child support, getting your government benefits, getting a property settlement is going to make it a lot easier to stay safe. And that's something that we've been doing through this project.

It's not just through SAFRAP. It's the attorneys throughout the state who do this. And this is one of the attorneys in my office, won a case -- because of distance, because of lack of resources there are a lot of courts that will limit how long a hearing can be. And in this particular situation, the attorney, Kerry O'Connor, was told you have a half hour to prove your domestic violence case and get your protective order. The judge actually ended up giving her an hour between her case and the defendant's case. Both sides were represented. And they were each allowed one witness.

And at the end the judge said, you didn't prove your case. No protective order.

That particular survivor was married to a police officer. In the course of her having a protective order before the hearing, the chief of police had told every business establishment in their small town if she comes in, we're not guaranteeing you police protection because there's a protective order. So she was not able to -- there were all sorts of things that were falling apart in this woman's life, and then she could not get a permanent protective order because her attorney was not given enough time to prove her case.

Going through the process that Frank talked about, we have been able -- Iowa Legal Aid has been able to get rid of that idea that you can give somebody inadequate time to prove their case and then say, no, you don't have a right to safety. And this was -- I mean, we were very excited about this. It was a wonderful result for that client.

I think at this point should I introduce Jill? Okay. Jill Swope is one of our SAFRAP clients who is out of our -- she was assisted through our Council Bluffs office, and

she's going to speak very briefly about the type of things that happened with her.

MS. SWOPE: My husband was also a police officer for a small town, Corning, Iowa, population approximately 1,800. I had gone on four different occasions with my children to the sheriff's office, the police department. In a small town, they're in one building and together. They would go talk to him and come back and tell me he had calmed down. I could go home. And this was after incidents pointing a gun at me, his loaded service weapon. One morning he had a syringe filled with a substance that I don't know to this day what it was. I got it from him and turned it over to them. Nothing was done with it. My attorney from legal services tried to find out what was in it. They did not even send it in to be tested.

On another occasion, he ripped the phone cord lines off the side of the house, and he was allowed to go to work those very nights. He lit a charcoal grill in our bedroom, sealing the windows and the door with the only phone we had up there in the room. We were limited to contact with friends and the kids weren't allowed to play outside or have friends over or go to friends house.

I finally couldn't take it any more, so I just went on my own at first to the courthouse to get a temporary order and the Rural Iowa Crisis Center and Creston advocate helped me with that. The next day the chief of police called me and asked me to have it dismissed because I would ruin this man's career if it went through, and I refused. Sarah, my advocate from Rural Iowa Crisis Center, got me in touch with Iowa Legal Aid, and Lee was my attorney, and they were great. If it wasn't for them, I wouldn't have had an attorney because I couldn't have afforded one.

Lee talked to me on the phone numerous times, helping me learn the judicial system and what the hearing would be like. And he was honest with me, you know. He said he's a police officer. We'll be up against -- but he was great, and I got the permanent protective order. He violated that, so we went back to court on contempt twice, and he went to jail for seven days. But Lee made numerous trips to Corning, Iowa for me, phone calls. They also helped me find a volunteer lawyer's program attorney to handle my divorce, and that has been filed. And again, I would not have been able to file for a divorce without someone helping me because of

finances.

It's just very -- they have been great. And it was a very scary situation, and, you know, it was very frustrating, because I couldn't get any help from local law enforcement because he worked for the city and part-time for the county. So it was scary.

MS. KLEARMAN: Do you have any questions, or do you want to go ahead?

MR. HALL: We'll just hold questions till the end, after everyone has spoken.

MR. HARTSOOK: One comment I wanted to make on Jill, I don't know if you caught this, but she lived in Corning. She had to go to the domestic abuse shelter in Creston. That's 20 miles away. That's relatively close here in Iowa. There are many areas of Iowa which are a good 50, 60, 70 miles away from the closest shelter.

What I want to talk about -- I was going to talk about our farm project, but had a great bus ride this morning, and I think we had a good presentation about the farm project in Nebraska. Ours is basically the same. The only point I want to make about servicing farmers are we're not just out

there helping farmers have a successful business.

When I started in the farm project back in the mid-'80s, a lot of people with legal services couldn't understand why we were helping farmers. Why were we helping these people who own \$100,000 of land, maybe \$80,000 in machinery, tens of thousands of dollars of livestock? And the thing it took our program probably two or three years to finally realize is that those farmers didn't own that. All those assets were owned by the bank. So even though if their assets were worth maybe \$200,000, \$300,000, usually the debt to the bank was \$280,000, \$300,000, sometimes \$350,000 back then.

So most of our farm clients are just as low income as our regular clients. One of my first clients who remained a client for about ten years, after they got done paying their mortgage and all their farm expenses, they were actually living on about \$4,000 to \$5,000 a year to pay their actual living expenses.

And the other thing to realize about farmers is it often takes a long time to get them to face reality. Their banker can tell them that they're not making a go of it, but



they think the banker is just trying to put them out of business and get their collateral back.

So lots of times it took us, you know, six months to a year working with the farmers and representing them and trying to get something worked out with the bank or the other creditors for them to realize that, yes, maybe farming wasn't working for them any more and they had to do something else. So just -- it's not really legal counseling, but it's just kind of other types of counseling that you had to deal with working with those farmers.

The other thing I want to talk about is services to the elderly in Iowa. And up on the screen it shows the percent of residents aged 65 or older in each of our 99 counties. The thing to realize in Iowa is back in 1960, the population of Iowa was a little less than 3 million people. Today, it's a little less than 3 million people. So it's sometimes easy to think nothing has really changed. But in fact, Iowa has changed dramatically.

The urban areas in Iowa have basically kind of sucked the lifeblood out of rural Iowa. You'll notice the dark blue counties in that map, and then the next lighter

color blue, those are the ones -- those are the counties with the highest percentage of residents who are over 65. The dark blue, 20 to 24 percent of the people in those counties are 65 and older. And you know what? All those blue counties are rural counties. We don't have a single city among those dark blue counties other than Fort Dodge, which has a population of about 25,000 people. Most of the largest cities in those counties are probably from 4,000 to 8,000 to 9,000 people.

So, you know, all the younger people who are still working, they have moved to the cities and left the rural landscape one of older people.

This next slide shows poverty in Iowa. Again, the darkest blue are the worst counties, 13 to 19.5 percent poverty. Down there along southern Iowa, that's what I always refer to as the slums of Iowa, even though if we took a bus ride down there, just like this morning, it would look like this nice, green, hilly area. But if you look at the farmsteads down there you'll see that everything is broken down and people are really living in poverty.

So people out in rural Iowa now are poor and they're old. And so our challenge to ensure quality legal assistance

is to allow them to access legal assistance. Because one of the main problems of access is no transportation. If you go back to 1960, we had a good intercity bus system. We don't anymore. Intercity bus systems basically go along Interstate 80, Interstate 35. So most of the small rural towns don't have any access to bus systems.

And if you're looking at older people, either they can't drive or they're not going to drive to a city. My grandmother lived in a small town of 700 people about 80 miles from Des Moines. She didn't know how to drive. So when she was widowed at 55, she depended on other people to get around.

And do you think she would ask somebody to drive her Des Moines to see a lawyer? No. She wouldn't even ask people to drive her ten miles to Creston to get groceries. It was a family that had to come from other cities to get her out where she needed to go.

Or if people do drive, you know, they're like my mother. She's from a small town in western Iowa, a thousand people. She's driven for 40 years. She wouldn't think of driving in Des Moines, Iowa. It's a big city. So people in rural Iowa, especially the elderly, are just not going to

drive to where our offices are for services.

So what did we do? What we did is we got a grant from the Administration on Aging to set up our legal hotline for older Iowans. And on our bus trip this morning you heard about the access line at Nebraska Legal Services. Our older Iowans hotline is about the same way. It's done by telephone. You call up. It allows those elderly people to have a lawyer there in their living room over the telephone.

So that really allowed us to expand access to the elderly. Before the hotline started, we were serving about 1,800 people a year age 65 and over. Now we're serving about 4,500 people a year through the hotline.

One of the things we did at the hotline also is we said here's a different group of people. They may not need the same type of legal assistance as the rest of our clients.

And so we set different priorities for our elderly. In fact, our priorities for the elderly are basically almost any type of civil legal assistance other than the things that we can't help people with because of restrictions. And then of course we don't do criminal issues.

But it was necessary to do that, because if we had

applied our normal priorities to the elderly, we would not have been providing the services that they need. Because there's not much domestic abuse among elderly people. We see some, but not a whole lot. We don't see a whole lot of housing problems, landlord-tenant problems among the elderly.

So if we had just done our normal priorities, we would have been telling all those older people that called in, sorry, you don't meet our priorities. So instead we expanded the priorities to ensure that they got the assistance they needed, you know, when their spouse went in the nursing home, we could help them become eligible for Medicaid or let them know when they're eligible for Medicaid. When the debt collectors called them up and threatened to take their house or to put them in jail if they didn't pay their credit card bills, both of which are illegal, we let them know that that couldn't be done.

So just all sorts of things that we were able to help the elderly people with that we wouldn't have been able to do without expanding our priorities. And that's something we probably need to do and probably other programs need to do is look at specific populations.

Frank talked about the great influx of Hispanic people into Iowa. We do provide some certain different services to Hispanics because of special grants we've gotten, but I don't know if yet if we've actually sat down and said, hmm, does the fact that they're Hispanic mean that they have different legal problems? Or maybe it's just different areas of the state. You know, maybe the inner city areas of Iowa where I've been at this week, amazingly, we have poverty rates of 35 or 40 percent. Maybe they have different legal needs than the rest of Iowa.

So I don't know if we look at those things.

Another thing we did with the hotline is, Iowa Legal Aid has always been a big proponent of community legal education so that people could prevent the legal problems before they ever started.

Normally what we've done in the past, though, is we've done these kind of massive booklets. You know, we have this booklet on divorce that takes you through every step of the divorce process. It's 25, 30 pages long. Same thing with small claims court or Medicaid appeals.

What we tried to do both to make it more efficient

for our clients and also save a lot of money is we've started doing just one or two-page handouts that we can send people so that when they call the hotline up, we can advise them about the legal problem they have and then give them specific legal education materials that would guide them with their problems.

And in fact, that's what we're moving to not only with the hotline but throughout our program, we're cutting those bigger education materials down so that they're easier to mail out, more understandable to people, and also with our new website, all these materials are also going on the website so that we can refer people to the website if they have access to a computer.

The last thing I want to talk about is one of the requirements of our grant from the Administration on Aging is to do an outreach demonstration project to find out what were the best outreach methods to get people to know about the services to the hotline, because that's a very big problem for any legal services program.

About ten years ago, I went out to southwest Iowa and talked to about 50 Lutheran ministers, and I said how many of you have ever heard of Iowa Legal Aid? Not a single one of

them had. If ministers don't even know about legal aid organizations, you know, who should? Who should be out there referring people to us?

So what we did is over a two-year period, we engaged in various forms of outreach. We did the classic legal aid outreach of, you know, putting up posters, making sure service providers knew about us, things like that. We did radio ads. We did TV programming. We did a lot of newspaper ads, a lot of press releases about issues.

What we figured out was that the best way to get people to know about us was through the newspaper and through articles that had some current interest that not only would get published by the newspaper but would also be of interest to the people reading the newspaper so that they could find out about us.

So that was some important information to get. Unfortunately, it's kind of also a piece of useless information, because we already have more than enough clients with the resources we have. So until, you know, this country starts providing more resources to legal aid programs, we don't really need to do more outreach because we already have



more people than we know what to do with.

So the last thing about the hotline is that it is now basically our main point of contact, main point of intake for people who are 60 and over. So even if you call our local office, people are referred directly to the hotline. And it's also serving kind of as our model because we are quickly moving to a unified intake system in this state which probably eventually will end up sort of what it is like in Nebraska.

MR. McCLINTOCK: My name is Pat McClintock, and I'm the last person on the panel. And since I know we're short on time, I'll try to keep my comments as brief as possible.

I'm going to talk a little bit about technology, and I guess it's important to know that it wasn't that long ago that programs like ours really were pretty far behind the rest of the legal community in relation to technology. But that has I think changed significantly, and there really are three reasons why that's changed.

One is that the price of technology has come down. We can buy computers today that are much, much less expensive than they were five, ten, fifteen years ago. The resources are more available, and that's in large part thanks to funding

that the national corporation has provided to programs like Iowa Legal Aid through the Technology Initiative Grants program.

And I certainly would be remiss if I did not express on behalf of Iowa Legal Aid our deep appreciation for those resources, because they've made a significant difference in our programs' ability to serve our clients and to perform our jobs better. And at the same time, we've also discovered that other sources of funding are out there to help support technology.

And to illustrate that, we received about \$463,000 in technology initiative grants funding, and during that same period, we raised another \$663,000 from other non-LSC sources to support technology projects. So that's been a major factor in enhancing our technology capacity.

And then finally, I think within the legal services community itself, a lot has changed and improved in relation to technology savvy. And to a very large extent, again, the corporation deserves a lot of credit. Randi and her technology folks with the TIG grants, Mike Genz, Joyce Raabe, Glen Rowan have all done a wonderful job in ensuring and

nurturing legal services technological development. And it's certainly had an impact here in Iowa.

Here in Iowa, we basically use technology in four ways, and I think this is probably true in most programs. We use technology to improve intra-program and external communication to make core organizational functions more efficient; to expand our services and our access to clients; and to use technology to measure and analyze the results and outcomes of the services that we provide.

And in ensuring quality in relation to the development of technology in those four areas, the first thing that we have learned is of critical importance is to assess what exactly our needs are; what is it that we wish to accomplish through the use of technology. And this involves talking to staff, talking to people within the legal services community nationally, talking to clients and talking to other stakeholders around the state of Iowa.

In addition, it's important, we've learned, to get help from outside people, and that's been important. Our program simply does not have the resources to have a fully staffed IT staffing. We've been fortunate to find an

individual who has a strong IT background and helping us develop various aspects of our technology.

But again, we've come to rely on outside sources including, again, the TIG staff with LSC, the Technology Assistance Project, people involved with Pro Bono Net. Iowa has a Pro Bono Net website. And we frequently rely on the skills and the resources of those organizations to help us in our technological development. And without that, we would be I think lost.

We've also learned that training in the context of technology is absolutely critical both to the quality of technology and also to the level of use and the extent to which it accomplishes the objectives that we've identified through our needs assessment process.

And then we have systems for evaluating technology.

In most of the major technological projects that we've undertaken over the last several years, we've included an evaluation component. And in some instances we've used pre-test surveys with our employees, with people involved in our senior citizens Internet project, and then we've conducted post-test surveys and have had social science research experts

actually analyze the data and give us feedback on the effectiveness of our technology projects.

And a couple of our studies are actually posted on the NTAP website, and they report on some of the survey and analytical reports in connection with our database project and our senior citizens Internet project.

And then finally, the key to quality is to stay on top of technological developments. And once again, this is one of those areas where a legal services organization simply cannot do that on its own. It has to be very much integrated into the efforts nationally and take advantage of the resources that have been made available to us through the efforts of the Legal Services Corporation and the Technology Initiative Grants program.

Now I was going to give you two case examples of how these factors kind of play out in a real life situation, but I'm going to dispense with one of them in the interest of time and go to our second example. And this is rooted in kind of a part of our program's heritage.

We are a program that for many, many years has had a strong emphasis on community legal education. It began

several years ago when Randi was our executive director and we spent a lot of time developing community legal education publications and going out and meeting with people. And that's been a major priority.

And the key has been to take hardcopy copies of our resources and convert them into a format that can be more readily distributed using new technologies. And these are just a few examples of some of the publications that our program has produced in hardcopy. And part of the process in doing that is to basically put into a technological electronic format a system that we used to have and had in place for a long time in hardcopy form.

And that's what this diagram here, what this slide shows is our website content database where an individual who has prepared an article for the Equal Justice Journal, which is our hardcopy newspaper that goes out to 7,000 households, they can upload that article into this database and we can take it through an editorial process and a review process and upload it onto our website and have dates when that item has to be updated.

So there's a tickler system built into that feature

so that we can tell the author, your book or your article has now been on the website for a year; what do you need to do to update it to make sure it's correct? And other aspects to manage content on our website so that we can begin to move what has historically been a very large body of printed materials into an electronic format on our website.

And if you look at our website, one of the things that I think is unique about our website is that we have a significant -- virtually all of the content on [www.iowalegalaid.org](http://www.iowalegalaid.org) is content that has its origins with the community legal education materials that we've developed and is very relevant and specific to the legal issues that low income people face in the state of Iowa.

And that's a picture of our home page. As I said, our website resides on the Pro Bono Net template. This is the home page, and it goes into that template. And we've also added some new features including a program page for the hotline, which contains specific information for seniors, and then also a new donate to Iowa Legal Aid, which is part of our Iowa statewide fundraising campaign.

So in this particular context, we went through the

process that I outlined earlier. We went through a needs assessment, determined what we wanted to accomplish by developing web-based materials. We relied on the resources and the expertise of people outside our program. We did not have a webmaster. We did not have anybody who had worked in the development of a website.

When we found out about the resources available from Pro Bono Net and Michael Hertz and his staff, you know, we began to work with them closely and to get their assistance in the development and the planning of our website. We went through a process of training. We had people around the program trained on the use of our content database. We worked with people in other organizations who are collaborators to give them background and information on the value and the power of our website.

We've gone through an evaluation process with our website and in fact it's an ongoing evaluation process. We just completed the online evaluation tool that the corporation developed for first year TIG website grants, and we found that to be a very useful exercise. And in fact, some of the survey tools developed by the corporation are the formation of our



work plan for the coming year and the development of our website.

And in the end, you know, we are continually looking at updating our website and expanding it. And our current efforts right now are focused on expanding the Iowa Legal Aid website to an advocate site that would serve the needs both of our staff and volunteer attorneys. So it's a dynamic project.

It's one that has created I think a lot of energy in our program. And I believe that it has a lot of potential to serve low income people in the state of Iowa.

And in fact, when you look at the web statistics that we've generated during the first year, we had over 24,000 visitors to the Iowa Legal Aid website and 83,000 page views.

So we know that people are using our website. They're looking at it and they're getting valuable information from it.

Now another element in Iowa that we think is very important, it goes back again to our roots in relation to community legal education. When we did community legal education many years ago, we put together an advocacy spectrum, and it included training to low income people on how

they could file an appeal on a Social Security disability claim, how they could participate in a state rulemaking proceeding.

But at the centerpiece of that was self-advocacy training. We determined that if low income people don't have it within themselves to go into the welfare office and plop down an appeal form, if they don't have that assertiveness, then the stuff that we train them in the other context really isn't going to make much difference.

We have tried to create an assertiveness training for low income people centered around technology. We've done that through the development of the senior citizens Internet project which has -- right now we have 98 locations where we have actually physically put computers in those 98 sites that are connected to the Internet and which have as their home page a specially designed tutorial feature -- this is what when you boot up a computer in one of these 98 sites, this is what you see.

And it has a tool on how -- it has a training tool on how people can learn how to use the computer. So if you've never used a computer, it walks them through a voice and

audio -- or an audio-visual explanation on how they can use a mouse, a keyboard, how they can search the Internet, how they can conduct a web search.

There's a direct one-click link to the legal hotline for older Iowans because this is a senior citizens focus project. There's a one-click access to a series of service links to other agencies and organizations that serve elderly persons, and there's a click on how people can set up e-mail accounts and learn how to use the desktop word processing system.

So we believe that it's not only important to put the website out there, but it's important to create actual physical access points where people can go and sit down and learn how to use a computer and log onto our website. And the project right now has expanded to, under a grant from the Governor's Developmental Disability Council, to set up sites in seven centers for independent living, and we have plans to expand it further to other sites around the state, including domestic abuse shelters and other agencies that serve low income folks.

So that's kind of one of the major focal points of

our technology effort is to create access both through physical access to a computer and through knowledge on how to use computer equipment to access resources that people can find useful to their daily situation.

So that's my abbreviated discussion on technology.

MR. HALL: Well, before going to questions from the board, I'd like to thank Dennis and everyone for a very informative presentation. In particular, Jill, thank you for sharing your moving story and for being willing to reveal that with us. I think it's very, very powerful when we can hear what has actually happened and the type of services that people have received. And I also commend you for the courage that you exhibited during that situation.

But thanks to all of you for being here. Questions from the board? Tom?

MR. MEITES: My name is Tom Meites. I am probably -- I'm certain I'm the only person on this board who has ever been in Creston, Iowa. I got a very expensive speeding ticket there last summer.

(Laughter.)

MR. MEITES: So it was enriched by some extent. Can

you give us an idea of what percentage of your budget -- not the technology but the rest of your budget -- is funded by Legal Services Corporation and where you get the rest of your money from?

MR. GROENENBOOM: Approximately 50 percent of our budget is LSC funds. We have about 55 other funding sources.

Those include the Department of Justice that Gail was talking about. We have state funds, IOLTA funds. We have United Way grants from 15 of the United Ways in Iowa. We have contracts with area agencies on aging. And just last year we initiated an annual fundraising campaign to try to get more private donations from it.

So roughly 55 contracts or grants, and then hundreds of individual donors.

MS. MERCADO: One of you, and I can't remember who, had made the comment about whether or not part of what you would look at I guess in the interviewing or the hotline that you would get with certain client communities and looking at whether there are broader issues within the communities, that you have other language issue, Spanish issue. And I'm just wondering whether your increase in issues, whether it's

consumer problems or fair housing problems or employment problems are augmented by the language issue as well.

Because it seems like at least in other areas where there is that large immigrant population, whether its Spanish or Vietnamese or any other client population, that in line with the lack of communication and poverty issues there are all sorts of these other issues, and I want to know whether somehow that affects the work that you do.

MR. GROENENBOOM: Let me start, and I think Frank has something to add. Yes, there are other issues there, as you mentioned, housing in particular. We have a grant from the Iowa Civil Rights Commission where we are doing specifically outreach on fair housing issues for immigrant populations. That has resulted in additional clients coming in with those types of issues.

We also, to add to the previous answer to the question, we have a grant from the Internal Revenue Service to establish a low income taxpayer clinic. That's again focused on people for whom English is a second language. So that has brought in other types of problems, yes.

MR. TENUTA: I would just say anecdotally, one of

the things I've noticed in home ownership issues can be a bigger problem for a couple of reasons.

One, the obvious language one, but then also some cultural issues connected with that and just lack of understanding of the legal system and what it really -- to make a long story short, signing papers when you don't really know what they mean, thinking you're buying a house when the contract may say that but it may not meet all of the technical legal requirements, and a number of problems related to that kind of thing, it seems to be a larger problem I think tied in with both understanding the system, which everybody has a problem with, you know, even if they're native-born Americans, but also the language thing just complicates that.

And, of course, housing is such a -- you know, that's the American dream to own your own house. And that's one of the areas where I've noticed an increase in problems.

MS. KLEARMAN: Another issue that we've been seeing is a lot of state agencies, although they're required by law to provide translations in Spanish and Bosnian, are not necessarily doing that. So we're seeing clients come in who have missed deadlines by days, weeks, occasionally months,

because they couldn't read.

I mean, you will have an agency that will provide a translator for a telephone hearing in Spanish and then send a notice saying you've been denied benefits in English, and expect that the person is going to be able to protect their rights. And we've been taking those cases. We haven't had to appeal into the appellate courts, but in district courts we've been appealing agency decisions because our clients have been denied rights.

And the ones that I'm aware of, every single one, the district court judge looks at it and says, sounds like due process. Sounds like the law requires it. It's been especially important with the unemployment insurance benefits context.

MR. GARTEN: Dennis, I think you indicated that your funding is down about 25 percent. What are you doing about it? Do you have any programs, or are you raising funds elsewhere?

MR. GROENENBOOM: Both of those. We are raising funds elsewhere. We have initiated the annual campaign which last year raised about \$250,000 in its first year. Previously



we had had mainly just a campaign directed to lawyers. It was a one-time-a-year mailing and that got between \$35,000 and probably \$65,000. So we really geared that up last year and had some very good results from that.

We've also restricted services. Mainly, over 75 percent of costs are personnel-related, so we have with the funding reductions that the board instituted a hiring freeze, and we have twenty-two and a half I believe it is positions, attorney positions in the program that are authorized that we had at one point over the past three or four years that we do not have filled. I have hired one new staff attorney in the past two years because of that hiring freeze.

Now what we have done in trying to -- I indicated that -- one of the slides said that we had served a little over 20,000 cases last year. The prior year it was over 22,000. So we have reduced, not as much as you would expect, given the number of staff positions that we have eliminated, and that's in large part because of the hotline that Scott was talking about and our use of technology that Pat was describing.

We are trying to serve people in new ways and more

efficient ways and redesign our intake system, but it certainly is going to result in fewer people this year being served than last year, which was fewer than the year before.

MR. HALL: I have a couple of questions. And I guess this is to Scott. One of the things I really have been struck by on this trip is the needs of farmers, and you gave the example of someone having \$200,000 or \$300,000 in assets but they are so -- those assets are so encumbered that what they are actually living off really makes them still poor. And I also was struck certainly by today's presentation about the holistic approach to dealing with farmers; that is, not only legal advice but financial advice, therapy sessions or stress sessions, et cetera, which I felt is very important.

I guess my concern is, what is the endgame in that situation? Is it to try to develop empowerment so that that farmer is able to get into a better financial situation? Or do we see a pattern there where you really are just providing some band-aids for individuals who for the most part are just going to have to get out of that business? And we kind of heard that on our trip this morning, that for some individuals, it's really just waking up to the fact that, you

know, this isn't going to work.

From a legal services standpoint, I mean, what is the role in that particular area that we're trying to ultimately accomplish, and is that a viable goal of empowerment for this population?

MR. HARTSOOK: Well, the cases kind of fall into two different areas. There's the one set of clients who are able to have viable farming operation, but they're just, you know, they are kind of just on the brink of not being viable. And so, you know, if something happens, whether it's a drought or a tornado or a flood, or, you know.

Last week -- Iowa farming this year has been great. Crops have been in three or four weeks ahead of time. But last week, there were a bunch of hail storms. So that's going to just wipe out those farmers in that particular area.

So, you know, for the farmers that can have a viable farming operation, that's really what we're after is to keep them viable. It's not just to save the farming operation. It's also to save their home. And that's what a lot of people forget about. This isn't a business we're trying to save necessarily; it's the people's home. If they get foreclosed

on the farm, they lose their home too and they have to go do something else that they don't know how to do.

So that's the first thing, is try to keep them viable if they can be viable.

Now there are other farmers who just don't have viable operations anymore. And most of those are elderly farmers. You know, the farmer I talked with, talked about that was a client for ten years. When I started representing him, he and his wife were about 63 years old. That's all they had ever done was farm, and maybe they used to be -- used to have a good, viable operation back in the '40s and '50s, but they don't any longer.

So that particular client, and many like him, who are elderly, they want to stay in farming until they're really ready to retire. And that particular client, that's kind of what we were trying to do, is to keep him out there on his farm so he and his wife could have a place to live and spend their \$5,000 or \$6,000 a year on living expenses.

Eventually they decided to retire. So they had a farm sale. They had 200 acres of land that was probably worth at least \$200,000. When they sold the land, sold their home,

sold their machinery, all that money went to the farm service agency. They didn't end up with a dime, and now they are living in low income elderly housing in their county seat town.

MR. HALL: Gail, on the domestic violence front, is there any programs that you work with that tends to focus on the abuser, counseling for the abuser to try to correct that problem? Is that something that has taken hold here? Because certainly protecting and empowering the victim is important, but if nothing happens to the person, they just do it to someone else later on. And at least in some areas, there have been programs that are developed around trying to change the pattern of the abuser. Is that something that's going on here?

MS. KLEARMAN: There are a number of programs. Often an abuser will be court ordered to attend batterer's education program. We do not at this point represent abusers per se as abusers. I mean, we represent the survivors. We do represent abusers in other situations. They call in because they're having a credit problem. Their disability, Title 19, whatever.

We work with -- I mean, we will get -- a couple of weeks ago I was actually at a halfway house talking to a group of men. Many of them were abusers who have gone to jail who are having issues about paying taxes, paying child support, and I was providing education to them on tax issues and child support and things like that.

There are a couple of programs. For example, there's one through the corrections system for people who owe child support to go through counseling to learn various life skills so that they can become more productive so they can pay their support, so some of it can be forgiven so they can reintegrate themselves in their children's lives. We are assisting with that, but not necessarily as representing them in abuse situations.

MR. HALL: Thank you. The last one. Dennis, certainly one of the reasons we wanted to be here was to hear a lot about rural delivery, but there are urban centers here which creates its own problems.

And I guess if you -- we picked up a little on that, but if you could share what you think the major crisis or challenge in a state where there are all of these rural

challenges, you know, what's the key urban challenge, and is there something that we need to be aware of as you try to address those types of issues?

MR. GROENENBOOM: Let me try to come at that from two different directions. First, I mentioned early on that we had just gone through a reorganization and a restructuring, and that took a one county urban program serving Polk County and Des Moines and merged it with the then-Legal Services Corporation of Iowa serving the other 98 counties.

I think we learned quite a bit from that about the differences in serving an urban and a rural population. Driving five minutes to the courthouse, which is what it is in Polk County, is a lot different from Frank talking about his three-hour trip. And the economies of scale there and the efficiencies are just dramatically different.

But we also have learned that the issues of doing outreach and education that Pat was talking about and, you know, we've talked about how Randi really is the one who instituted that with Iowa Legal Aid or Legal Services Corporation of Iowa at that time many, many years ago, really is still a key to getting information out to people.

The program in Polk County had not done much community outreach and education. And so I think the types of problems that were coming in were much more those that people would normally think of as a legal problem, a family law problem and a housing problem.

There are many other problems in Polk County and in Cedar Rapids, many of them related to housing, but there may be predatory lending issues. And there are lots of issues there, and there's a group being put together in Iowa now with a group of organizations, and we've been invited to participate in that a bit to bring whatever we can to that discussion, to try to address predatory lending issues.

That's an issue urban and rural. I think it's more concentrated in urban areas. So I think some of the education and outreach are things that are important for really all programs to do so that people understand kind of the breadth of issues that may well be legal problems that legal aid programs can address. That's notwithstanding Scott's comment that we have more people than we can serve right now coming to our doors.

But I think it's important for us to do what we can



to make sure that people do understand the variety of problems that they may be confronting with which we can help and may be able in a holistic sense to get them moved out of a difficult situation they're presently in.

MR. HALL: Thank you.

MR. MEITES: Iowa has lots of counties, which means there's a county seat in every county, and besides the states attorney, there's one or two lawyers in private practice. And one of them represents the bank and one of them doesn't. Now I would think the one who doesn't want the bank would be looking for work, particularly with rural poverty. So I would suspect that you don't have that much trouble finding private attorneys willing to work at reduced rates for your program. Is any of what I've said accurate? And if not, where is not accurate?

MR. GROENENBOOM: Let me make a first stab at that, and others may want to jump in, and including our board people who may have a better understanding of that, Scott and J.C., the president-elect of the bar work in those county seats that you're talking about.

My sense is that people are -- in most counties

there are more lawyers than what you're talking about. There may be two or three counties where there are just a couple of lawyers. The issues we confront in there are more than there are so few lawyers that they are conflicted out of taking cases either through our volunteer lawyers project or whatever, because, you know, they've seen the other side. They may well have represented Jill's husband, so they're not going to be able to be providing assistance.

Our volunteer lawyers project tries to utilize as many of those folks as we can. Now that's on a volunteer basis. But what we have found recently is that it's difficult to expand that because the economies in rural Iowa are such that they're not making a lot of money, as you indicated, and being able to take cases on a reduced fee basis or pro bono are not easy for them to do.

MR. HALL: Scott, is there anything that you --

MR. BUCHANAN: I'm Scott Buchanan. I'm president of the Iowa Legal Aid Board. I practice in a small town. Our county has a total population of about 17,000. Our community is about 6,500. Ironically perhaps there is over 20 lawyers in my community. The dollars -- the attorneys tend to

represent the equity that's represented in the rural economy, the farmland. Even though we don't have a lot of people, there's a lot of dollars laying there on the ground, and the attorneys tend to practice in correlation to that.

You noticed the map where there was a very poor -- the poverty in Iowa is very centered in the southern area where the land is very poor, and so naturally there's fewer attorneys practicing in that part of the state.

In our community, I would say there really isn't -- there aren't attorneys who are looking for lower fee cases. The types of cases we're talking about I think in the VLP referrals are generally no-fee cases. And consequently, there isn't as such a market out there for, say, cases where you might be picking up \$45 an hour as opposed to \$90 an hour or \$110 an hour in your general practice or something like that.

Haven't seen that yet. And I think really the VLP type cases mainly are no-fee case, not a low-fee case.

MR. HALL: Thank you very much. Well, again, I want to thank all of you for a very informative presentation and for answering our questions and thank you also for the hospitality that we've been receiving in this journey into two

states at one time. So thank you very much.

We have another major agenda item that we need to address, so we will need to move to that. But again, thanks to all of you. significant. Thank you.

Lillian, would you come forward, please? We need to continue on with our Provisions Committee meeting. We have a special presentation that attorney Lillian Johnson from Phoenix, Arizona, who has been before us before, and when we were struggling with issues around diversity and leadership.

She has a proposal around a special mentoring project that tries to get us to look at the future of legal services, and especially the future leadership that we need to be developing. So we wanted to give Lillian some time on today's agenda to present to the Provisions Committee so we could get a better understanding of what's being proposed and see where we go from here.

So, Lillian, I'll turn it over to you.

MS. JOHNSON: Thank you. Good afternoon and thank you, Chairman Hall, for inviting me to make this presentation to the board today. I certainly appreciate it. Thanks to President Barnett for giving me guidance on how to make the

information available to you in a format that would be useful.

And I also want to thank the Legal Services Corporation in general, because it was through your vision that you demonstrated your support for diversity and leadership development by accepting the creation of an advisory council that was devoted to leadership diversity. And you did that with the understanding that the advisory council would be in a position to provide information and recommendations to the board for issues related to leadership and diversity.

And with that in mind, the council is composed of a very diverse group. All of us are members of the field. We have diverse backgrounds both in the positions that we hold in the legal services community as well as our gender, our ethnic background, our areas of practice and our geography. So that we have a lot to do when we're together talking about leadership and diversity.

And as you recall, the last time that I had an opportunity to speak to you, I mentioned one of the major projects that were recommendations from the -- we call it L-DAC, the Leadership Diversity and Advisory Council, and it

was a board training module that was intended to be available on the local level to local boards and directors to help explore on a local level the issues related to diversity and leadership.

And I mentioned to you that I was the beneficiary of that module in that my board of directors in Arizona was one of the first programs to go through that. And like this community, Iowa and Nebraska, Arizona has a lot of territory.

And we have a very diverse board of directors that travel great distances, some of them, in order to meet.

My board met on a Saturday and out of 27 board members, we had 21 present who voluntarily elected to be exposed to the module. The benefits of that is that now I have support, and there is leadership in all that we do and in our program to establish a commitment to including diverse views but also being very responsive to the very diverse client community that we represent.

Consistent with that, among the issues that the Leadership Diversity and Advisory Council continues to work on his how can we enhance and increase the leadership capacity and potential of a very diverse population.

Let me tell you that I am very pleased and proud to be in the company of other legal services advocates. I too have spent my entire legal career as a legal services attorney. And one of the things that I learned is that we are very talented. We have learned from years of not having enough resources to do a lot with a little.

And as a result of that, when the Leadership and Diversity Advisory Council was thinking of issues related to ways to foster the leadership and diversity issues, we were mindful of the limited resources that are available to do that.

So that we wanted to make sure that we took into account what is already in existence in the legal services community. And there are a number of programs -- well, I don't want to mislead you. There are several programs currently ongoing in the legal services community designed really to try and increase leadership development in a particular program or in a particular state.

There is the New England Leadership Project. And of course there is the Virginia Leadership Project. And in each of these particular projects, there is an ongoing interest in

identifying people in legal services programs who have the potential and the interest in becoming leaders in the community and have gathered them together for both training as well as work on leadership development and dealing with issues that leaders have to deal with, including emphasizing the strength and the value of diversity as well as mechanisms that they can look to in order to increase their ability to do the critical thinking that's often necessary in order to be successful, particularly in the legal services community.

And yet, they're not enough. Ten years ago there were probably a little over 300 legal services programs in this country funded by LSC with leadership positions of least 300 and something available. Today we're looking at 157 positions and we're looking at a turnover a month within those top positions of around a little less than 10 percent. And in the turnover, seldom are minorities and women in a position to be the successful candidate for the top position in the legal services community.

One of the most important issues that boards of directors when looking toward hiring a director or a top leader has to do with the person's experience in significant



leadership positions or their training. Very seldom do we have individuals who also have a background in accounting or somehow has had some experience in managing a large project or a budget.

We are frequently fortunate enough to have tremendous candidates who have substantive law background, either in litigation or in developing community education materials, managing a particular office or in some cases managing an entire unit of lawyers and advocates around a particular substantive area of the law.

But understanding and appreciating the necessity to develop, to be engaged in strategic planning and to develop priorities for allocation of resources, understanding the value of voluntary board of directors and the tremendous resource that that presents for an organization, understanding the need to review and assess private attorney involvement from the viewpoint of the client community that you are charged to serve, understanding the necessity to embrace technology and to accept that we don't know everything, and we don't know everything that we have not personally experienced, and that there are always opportunities that we had not had

the opportunity to take advantage of that perhaps we ought to look into.

Understanding all of that is very seldom the case for candidates, particularly minority candidates simply not having had that opportunity.

Right now we have leaders who are continuing to make a significant contribution in the legal services community, leaders like myself, who can very proudly boast to you that I've had the good fortune of being at community legal services for two decades, and I'm not ready to leave yet. And yet, I have the good sense to know that not only will I not live forever, although, you know, I can hedge my bets, but I am also not in a position to provide community legal services for the low income community in Arizona with the leadership that they need in order to make equal access to our justice system a reality.

And I know that I need to be identifying other leaders in our community that can be nurtured and supported and given the opportunity to be available to step into leadership roles. And yet I can tell you that I have been woefully insufficient in that area. And not unlike myself,

there are literally I would say well over 100 such leaders in our community who has given some thought to it but has not identified a mechanism to make it a reality.

This proposal is being presented to you really in response to a question that the chairman of the board asked me after my last presentation before this board. He asked me who's going to take my place when you go? Well, that struck me, because I said why? Was I, you know, a little slow? Or is this a suggestion that I need to be looking for a replacement right away? And his response was no. He said, I think that you're an outstanding -- well, maybe he didn't use outstanding. Maybe he said you're a good advocate.

MR. HALL: No, I used the word "outstanding," I'm sure.

(Laughter.)

MS. JOHNSON: Thank you. You're very kind. You're a good advocate, and I know of several in the community who are excellent examples of what the legal services community has to offer.

Phyllis Holman, out of Georgia, and just to identify just two. And he said I want to know what is being done to

preserve the legacy. And I said, you know, that's interesting because the Leadership Diversity Advisory Council for LSC has been talking about this issue, and I'd love to have the opportunity to explore it more.

And fortunately for us, the Equal Justice Conference happened to be in Atlanta this year. As a result, I was given the opportunity along with several of my colleagues to meet with President Barnett and Chairman Strickland and to talk about this idea of the Legal Services Corporation, this board of directors, establishing a leadership legacy for the legal services community.

The fact that the Legal Services Corporation is 30 years old is a clear indication that now is the time for you to demonstrate the leadership that you have in the past and develop something for the first time coming from the top to acknowledge the existence of all of the significant talent in our community; to acknowledge the need to increase the number of individuals who are available to help lead the civil legal services programs in the country; to help to develop individuals who see the legal services community as an opportunity to fulfill their career dreams; and that is to

work to make a difference; to be a part of something that is intended, that's mandated to seek equal access to justice for all, and to give sort of deed to the words that often many of us will acknowledge; and in your case, to demonstrate to all of us that you value the existing leadership and you value the need for planning for the future.

I was then invited to work with the L-DAC to come up with something and put it on paper to give you an idea of what we were talking about. And that's what I did. I apologize for not having gotten it to you in time enough for it to be included in your board book, but as you can well imagine, I was doing it at the very last minute and tweaking it as I went along.

What you have before you is really a proposal that the core is around mentoring. The core of the project is taking the existing leadership in our community and pairing them with emerging leaders, giving them not only access to training and education around leadership issues, but also giving them structured access to existing individuals who are in leadership positions in the civil legal aid community.

One of the benefits I think that I brought to my

position at community is that I had not only worked in legal services as a staff attorney and a managing attorney, but I had the good fortune of being a part of the Legal Services Corporation when it had a regional structure.

And what that regional structure allowed me to do was to interact with other legal service professionals in leadership roles beyond the state of Illinois. And what I learned from John Asher was the need to be concerned about structured opportunities to develop staff attorneys and paralegals.

What I learned from Esther Lardent was the necessity to always see private attorneys as a valuable resource in the delivery of legal services for the poor. What I learned from Clint Lyons was a necessity to keep our eye on the ball; and that is equal access to justice for all. It's not just a promise; it's a commitment.

What I learned from many of the people that I had an opportunity to really interact with was that we all wanted the same thing. We just had different talents and different ways of going about it. And what that did was allow me to bring to my experience at community legal services the benefit of

knowing that there was a need to be very sensitive and committed to making sure that migrant farm workers had access to justice for their issues as well as Native Americans who didn't live on the reservation to have native tongue speakers to interact with so that they could get their problems addressed.

What it helped me to appreciate is that we have to always be vigilant, and in addition to learning from the past, living in the present, we have to always be planning for the future. And that's what this is all about. It's helping the community plan for the future and it's really asking the Legal Services Corporation to demonstrate the leadership and help us to develop a legacy for the legal services community.

MR. HALL: Thank you for the presentation and for the work that went into it. I guess if we could have questions that are directed in trying to understand even more how the proposal plays itself out.

I guess just to start that out, am I clear in the two components that are developing, the mentoring is through the individual relationships that the mentee has with the mentor that has been assigned to him or her? And then the one

day training that will happen I guess at the Equal Justice Conference or at the NLADA conference? Are those the two major substantive components?

MS. JOHNSON: Yes they are, except that you mentioned one day and initially our anticipation is that there will be a two-day event and both the mentors and the mentees would be available for that, and that simultaneously, mentors would be given some training too because try as we may, even the best lawyers are not really knowledgeable and well trained on how to mentor the less experienced attorneys, and we're confident that there will be a need for mentors to also be trained on how to best mentor a less experienced individual.

MR. HALL: So that's the two-day kickoff?

MS. JOHNSON: Yes.

MR. HALL: And then throughout the year there would be the one-day attached on to the standing conferences?

MS. JOHNSON: Throughout the year that would be the case. But there's also another valuable component, and that is the opportunity to visit another program. Remember last time I had the opportunity to speak to you, I told you about the value of peer review.



That is, the value of one legal services program staff member visiting another, and how much you learn from that experience, both in terms of visiting the program and evaluating how they are accomplishing the task and objectives that they have in mind, and the program that's visited when they have another legal services staff person available to them, they have an opportunity to exchange perspectives beyond whatever the particular subject is. And so, program visits is also an important component.

MR. HALL: Other questions? Bob?

MR. DIETER: Just looking at it briefly, you know, you specified between two and five years in legal services as a starting point. I mean, two years into a job doesn't seem to me to be enough background to qualify for identification as someone who's going to be able to take over a program in two years. It would seem to me that you'd be looking for people who've already demonstrated they're going to stay in the job for a while and somehow sorted themselves out a little bit more.

MS. JOHNSON: And we did talk about that a lot, but what we've discovered is that there are people who are

seasoned lawyers who have either been in private practice or have been working in another civil justice system that join programs, you know, and there are people who are in a position to be considered.

And that was why we started it from two to five. We did not want to exclude someone who could be an exception. An exception would be someone who has worked in another -- I'll give you a classic example. A clinic fellow. Someone who has worked in a law school clinic, who has had the experience of running the clinic or being a fellow that has a particular project experience but has significant experience as a lawyer, but not having had experience in that particular program.

And we just didn't want to exclude people.

MR. DIETER: I guess the other question would be if you had to choose between this program and peer review visits, which do you think would be the most valuable?

MS. JOHNSON: Mr. McKay --

MR. HALL: Mr. Dieter.

MS. JOHNSON: They're just different. I'm sorry. They're just different. And so in terms of choosing between them, one has to do with the evaluation, and it certainly

deals with helping to develop in the legal services community.

What peer review what does not do, it does not even identify someone that could benefit from a leadership program.

An example is, in peer reviews, most frequently people who are selected to participate in peer reviews have already demonstrated and are already in leadership positions, seldom if ever is there someone selected for peer reviews that has not already exemplified some kind of leadership qualities.

This is intended to help present opportunities for those who have not had that opportunity. And what it would do is actually help to identify more and more leaders who could be used as part of the peer review process. With 157 programs, there would certainly be the need to have a peer review program, certainly be the need to have more and more people that the Legal Services Corporation would be in a position to draw from in order to participate in an effective peer review process.

So I guess I'm just not in a position to compare the value of one as opposed to the other.

MR. DIETER: But you're setting, you know, budget priorities with a certain amount of money, and you can't fund

everything. Is there any indication?

MS. JOHNSON: Yes. Yes. We've thought about that.

And that's exactly why we have placed it in the form of a proposal that deals with establishment of academy. And if you notice at the very end in suggestions, we say you could decrease the number of participants to 20 to 25, and in an academy setting, you could reduce it all the way to 15.

So that there would be less and less cost. Also, there are other things that could go into helping to cut the initial cost. And of course, the investment itself. Once you do it, once you make that investment, then you have already created the legacy, and it makes it less expensive in the future.

MS. MERCADO: Just a suggestion budgetary-wise, over the years we've had several different conferences that have been set up for various client populations, for the Native American conference, client conference, migrant worker conference, just a variety of different diversity leadership.

You could use this, because part of our budget sort of incorporates part of that in the program. And I think it generally -- and Randi might be able to give us some better

figures -- somewhere depending on where the conference was scheduled, between 250,000 and 500,000 in such a conference would be bringing in the client -- well, around 250,000 would be average I think.

But if I look at it, if I look at it as a conference, although it's really a mentoring, but I mean, budgetary-wise, if I'm only looking at dollars as opposed to the actual substantive part of it that can be in lieu of. You know, there's a conference planned for this year for some particular client population or strategies or technology conference, could that be in lieu of or in addition to?

Secondly, another way that you can bring in budgetary money out of that as well is in the peer review, again, under the LSC program function, some of those people that you've identified as potential leaders could be part of your peer review -- the office of program and performance has as part of the peer review going out to see programs. I mean, you could incorporate it as part of it so that you wouldn't have additional budgeting as opposed to your just using new individuals, maybe not as seasoned leaders as the one you've already identified in the regular peer review, but may be of

your panel of three or four peer review leaders or five review leaders that are going in, at least one of them be one of those young up and coming people that you have identified as a leader to meet the cost or the budgetary aspect.

Or you can put it as a new item in your budget request for FY06 or '07 as a pilot project that you want to do, and that could be one of your reasoning for a budget increase. I mean, there's a variety of different ways that we could do it budgetary-wise. Maybe that's something that we as a board along with staff and legal services community maybe can figure a little bit better. But just off the top of my head, those are some ways we could get some funding that already exists.

MR. HALL: Lillian?

MS. BeVIER: I'm curious about the staffing implications. I mean, is there someone -- a position on the staff who would -- I mean, this seems to me to be something that needs to be -- where the buck needs to stop with a particular staff person who's got this as his or her, an important aspect of their job.

The proposal talks just about working with LSC

staff, and I don't -- I mean, that's a little vague. Do you have in mind where this would be located in the staff, or what? I mean -- whose lap would this --

(Laughter.)

MS. JOHNSON: I can only speak to you from L-DAC's perspective, and it would be the vice president for programs, and her or his staff. That would be our expectation. But again, that would be left up to President Barnett, because it's her staff.

But that's what we would envision. And we do that based upon L-DAC having been supported by the staff of the vice president for programs.

MR. HALL: Other questions? Herb?

MR. GARTEN: I may be missing something, but looking over the criteria that you've established, these seem to be people of such quality, ten years' experience, national notoriety, and the commitment that you're asking from them that they would feel they don't need mentoring. Are we more interested in maybe a placement service for these people of this quality rather than starting an academy for them?

MS. JOHNSON: Perhaps you were looking at the

requirements for the mentors.

MR. GARTEN: Tell me about what the qualities are of the mentees.

MS. JOHNSON: Okay. The qualities of the mentees, we wanted to make sure that they would be employees of an LSC grantee, number one. That they would be, in our expectation, they would generally be an attorney. They would have to have been someone that would have demonstrated at the local level that they had a commitment to legal services delivery -- delivery of legal services for the poor.

They would generally have at least two years but certainly up to five years we would begin looking at individuals that have demonstrated in some way in the eyes of the executive director or of other top management in the legal services community that they are, what do you call, a diamond in the rough? They are someone with significant potential.

And then they would be considered, you know, eligible applicants. And then it would really depend upon the screening process and the ultimate selection by the president of who would be the participants.

We talked about selection being -- the criteria



being broad like this with the understanding that it ultimately would be an LSC project, and we would work -- be glad to work with you as a committee to establish the criteria. And I'm sorry, Mr. Dieter that I called you Mr. McKay. But that would be the kind of discussion that would occur. And it ultimately would be the decision of LSC as to what the criteria were.

We wanted to give you an idea of the kind of criteria that we would want. And to give you a classic example, and I use my program. I am the executive director, and then we have a litigation director, and we have six managing attorney positions. The managing attorneys have been with my program as managing attorneys for a minimum of five years, and many of them don't plan on leaving.

But I have identified a number of less experienced lawyers who would welcome and need to be in a position so that they can exert and demonstrate their leadership. Those would be candidates for this kind of academy, because it would give them the opportunity to get that exposure and to develop the knowledge that they need to have in order to assume even greater leadership responsibilities in our community, not

necessarily at community legal services, but certainly within the legal services community.

We think it's important that there is some kind of requirement that anyone accepted as participant in the academy would be expected to remain with a legal services funded program for a minimum of three years.

MR. HALL: I guess I'll exert some chair prerogative, because we're eating into the Financial Committee's time, and I don't want to delay the rest of the day, because there are some other things we need to do.

Maybe what we should do, I will be reporting to the full board on this proposal coming out of the Provisions Committee, and we can certainly discuss it more. I don't know if you will be around tomorrow, Lillian?

MS. JOHNSON: I will for the morning, but not the afternoon.

MR. HALL: Okay. Well, if you are here when we are discussing it and if people have additional questions, they can ask them to you. And if not, we can certainly relay those questions back to you that may come up at that time. But I do feel we need to kind of bring this to a close.

Again, thank you for following up on the suggestion or the question from the chairman and for providing us with the framework to at least discuss this in a very concrete way. And thank you for your leadership and diversity over the years.

MS. JOHNSON: Thank you.

MR. HALL: There are a couple of small items that need to come before the committee before we can close. I will open for any public comment at this time, if there is any. If not, are there any other actions that need to be brought before the Provisions Committee?

(No response.)

MR. HALL: Therefore, I would consider an act of adjournment.

#### M O T I O N

MS. MERCADO: So moved.

MR. HALL: Second?

MR. SUBIA: Second.

MR. HALL: Okay. The Provisions Committee is hereby adjourned.

(Whereupon, at 4:10 p.m., the committee was

adjourned.)

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