

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS

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

OPEN SESSION

Friday, July 27, 2012

1:38 p.m.

Sheraton Ann Arbor Hotel
3200 Boardwalk Street
Ann Arbor, Michigan 48108

COMMITTEE MEMBERS PRESENT:

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

OTHER BOARD MEMBERS PRESENT:

Robert J. Grey, Jr.
Martha L. Minow
Charles N.W. Keckler
Gloria Valencia-Weber

STAFF AND PUBLIC PRESENT:

James J. Sandman, President
Richard L. Sloane, Chief of Staff & Special Assistant
to the President
Rebecca Fertig, Special Assistant to the President
Mark Freedman, Senior Assistant General Counsel, Office
of Legal Affairs
Joel Gallay, Special Counsel to the Inspector General,
Office of the Inspector General
Carol Bergman, Director, Office of Government Relations
and Public Affairs
Janet LaBella, Director, Office of Program Performance
Glenn Rawdon, Program Counsel, Office of Program
Performance
Bernie Brady, Office of Program Performance
Robert E. Henley, Jr. (Non-Director Finance Committee
member)
Allan Tanenbaum (non-Director Finance Committee member)

Meredith McBurney, American Bar Association (ABA)
Resource Center
Steve Gottlieb, Executive Director, Atlanta Legal Aid
Daniel Glazier, Executive Director, Legal Services of
Eastern Missouri
Jennifer Bentley, Manager of Outreach and Development,
Legal Services of South Central Michigan
Deierdre Weir, Executive Director, Legal Aid and
Defender Association
Kenneth Penokie, Executive Director, Legal Services of
Northern Michigan
Len Sanchez, Executive Director, Neighborhood Legal
Services Michigan
Colleen Cotter, Executive Director, Cleveland Legal Aid

STAFF AND PUBLIC PRESENT (Cont'd):

Linda Rexer, Michigan State Bar Foundation
Lary Wells, Michigan League for Human Services
Roger Lennert, Legal Aid and Defender Association
Joan Glanton Howard, Legal Aid and Defender Association
Jean Griggs, Neighborhood Legal Services of Michigan
J. Sekander, Neighborhood Legal Services of Michigan
Lillian Bullard, Neighborhood Legal Services of
Michigan
Ann Routt, Legal Services of South Central Michigan
The Honorable Richard Teitelman, Chief Justice,
Missouri Supreme Court
Suellen Scarnecchia, University of Michigan Law School

Don Saunders, National Legal Aid and Defenders
Association (NLADA)
Chuck Greenfield, National Legal Aid and Defender
Association (NLADA)
Terry Brooks, American Bar Association Standing
Committee on Legal Aid and Indigent Defendants
(SCLAID)

C O N T E N T S

OPEN SESSION	PAGE
1. Approval of agenda	6
2. Approval of minutes of the Committee's meeting of April 16, 2012	6
3. Panel presentation on diversification and expansion of revenue sources	7
<p style="padding-left: 40px;">Moderator -- Meredith McBurney, Resource Development Consultant for ABA</p> <p style="padding-left: 40px;">Steven Gottlieb, Executive Director, Atlanta Legal Aid Society</p> <p style="padding-left: 40px;">Daniel Glazier, Executive Director, Legal Services of Eastern Missouri</p> <p style="padding-left: 40px;">Jennifer Bentley, Manager of Outreach and Development, Legal Services of South Central Michigan</p> <p style="padding-left: 40px;">Deierdre Weir, Executive Director, Legal Aid and Defender Association</p>	
4. Public comment	70
5. Consider and act on other business	70
6. Consider and act on motion to adjourn meeting	70

Motions: Pages 6, 6 and 70

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

2 (1:38 p.m.)

3 CHAIRMAN MIKVA: I would call the Committee
4 for the Promotion and Provision for the Delivery
5 Services meeting to order. If the members of my
6 Committee could introduce themselves, starting with
7 Julie Reiskin, please.

8 MS. REISKIN: Hi. Thank you for being here.
9 My name is Julie Reiskin. I'm a member of the Board,
10 one of client-eligible representatives and the only
11 non-attorney.

12 FATHER PIUS: I'm Father Pius. I'm the other
13 client-eligible representative, although I am an
14 attorney. I'm happy to be here.

15 CHAIRMAN MIKVA: I'm Laurie Mikva.

16 PRESIDENT SANDMAN: I'm Jim Sandman, President
17 of LSC.

18 DEAN MINOW: I'm not a member of the
19 Committee, but I'm Martha Minow. I'm the Vice Chair,
20 and I'm happy to be here.

21 MS. BROWNE: And I'm Sharon Browne, and I'm a
22 member of the Committee.

1 CHAIRMAN MIKVA: Could I get an approval of
2 the agenda?

3 M O T I O N

4 FATHER PIUS: So moved.

5 MS. BROWNE: I'll second.

6 CHAIRMAN MIKVA: All in favor?

7 (A chorus of ayes.)

8 CHAIRMAN MIKVA: It's approved.

9 And the next item of business is approval of
10 the minutes of the Committee's meeting on April 16,
11 2012. Is there a motion to approve?

12 M O T I O N

13 MS. REISKIN: Move approval.

14 MS. BROWNE: Second.

15 CHAIRMAN MIKVA: All in favor?

16 (A chorus of ayes.)

17 CHAIRMAN MIKVA: And now it's my pleasure to
18 get down to the important part of our meeting, which is
19 an illustrious panel moderated by Meredith McBurney,
20 who is probably one of the foremost experts in resource
21 development for legal aid organizations. She looks too
22 young, but her bio here says she's been in legal

1 services for 35 years, particularly in this area of
2 resource development, management, and grant-making.

3 She's consultant for Management Information
4 Excellence, and a consultant for ABA Resource Center
5 for Access to Justice Initiatives. And a special
6 thanks to SCLAID, which has funded much of her work in
7 this area, which really is the work on which we all
8 depend.

9 She started out at Colorado Rural Legal
10 Services, and she has a B.S., besides business
11 administration, in zoology, which I'm sure there's a
12 really good story about how you get from zoology to
13 legal services.

14 Anyway, I turn it over to you.

15 MS. MCBURNEY: After years in legal services,
16 I had to learn something about mammals and birds.

17 Thank you very much for giving us -- can you
18 hear me okay when I turn my head? Okay. Thank you
19 very much for giving us the opportunity to do this
20 presentation today. I and the other members of this
21 panel are really pleased to be here.

22 We heard the presentations yesterday, the

1 justices talking about access to the courts, the
2 domestic violence panel talking about the barriers to
3 getting victims of domestic violence served, the
4 Michigan people talking about a whole range of issues.

5 All of them at some point talked about the lack of
6 sufficient resources to provide services to the clients
7 who need legal assistance to solve so many of their
8 problems.

9 I've recently heard the line, "needing to do
10 more with less," because as you were discussing not
11 more than an hour or so ago, funding from several of
12 our big sources has fallen, and drastically fallen, in
13 recent years.

14 We are not going to talk about doing more with
15 less. We are going to talk about inspirationally,
16 aspirationally, doing more with more or, as the most
17 pessimistic panel member said, "Well, raising more in
18 order to do at least as much as we've been doing, given
19 that the funding is falling."

20 (Laughter.)

21 MS. MCBURNEY: The people on our panel today
22 are well-suited for this assignment. And let me just

1 tell you who they are, and then we'll talk a little
2 more about each of them as they make their
3 presentations.

4 Steve Gottlieb, who's sitting here, is the
5 executive director of Atlanta Legal Aid Society, and
6 he's been there as the executive director since some
7 time in the early '80s. I think Steve is the only
8 member of the panel who might be older than I am.

9 Jennifer Bentley is an attorney and manager of
10 outreach and development for the Legal Services of
11 South Central Michigan, which as you learned yesterday
12 serves 13, many of them rural, counties, but also has
13 the service area in the country we're sitting in.

14 Dan Glazier is the executive director and
15 general counsel of Legal Services of Eastern Missouri,
16 which is the St. Louis program.

17 And Deierdre Weir is the president and CEO of
18 Legal Aid and Defender Association of Detroit. So
19 there's our panel.

20 I'm going to do a faster-than-light
21 introduction around -- an overview around legal aid
22 funding trends and the history of legal aid funding. I

1 know from your previous discussion in your Finance
2 Committee meeting you have a pretty good grasp of this,
3 so we'll go through it real quickly.

4 Steve and I will talk about the elements for
5 successful legal aid resource development, and we will
6 be talking primarily today about private funding
7 development. And we'll explain what that means in the
8 context of all the funding that comes in to legal aid
9 programs.

10 And then each of our panelists will talk a
11 little about successful private resource development
12 initiatives that they have implemented in their
13 programs. And we hope to have a little time left over
14 for questions.

15 Okay. The history. This is -- I'm going to
16 try this out -- this is an LSC graph. This is LSC
17 program funding starting in 1977 and running through
18 2012, at least for LSC money. It is just LSC grantees.

19 The blue line is the LSC funding. This green line is
20 all non-LSC funding. And then the purple line is the
21 total.

22 And I love this chart. And I don't love it

1 because of this (indicating). I love it because of
2 this (indicating). And as a resource development
3 person who started with legal aid in 1977 and who,
4 along with Steve Gottlieb, was around when this federal
5 funding cut hit, we have never felt like we weren't
6 fighting in order to have enough money -- not enough
7 money to meet the need, but enough money to just really
8 keep our doors open and be able to keep competent,
9 qualified staff and all that sort of stuff.

10 But this graph gives me a sense of what we
11 have done over the years in the individual programs to
12 raise money. And it's really pretty extraordinary.
13 This is adjusted for inflation, and you can see how
14 much better things have gotten over that admittedly
15 very long period of time.

16 That cut in the mid to early 1980s was a real
17 wakeup call for programs around the country. I can
18 remember sitting down with the programs in Colorado,
19 and I know Steve was doing it in Atlanta with his
20 folks, and going, "If we don't find some other
21 resources, legal services is going to be dead and we
22 aren't going to be providing services to anybody."

1 And we were both working very hard, and also a
2 little bit "lucky" -- I put that in quotes -- because
3 IOLTA started in the early 1980s. Arthur England
4 discovered it for the United States and started the
5 program in Florida. And so a lot of that early
6 increase came from IOLTA. By the early 1990s, we had
7 IOLTA problems in almost every state.

8 In mid to late '80s all the way through the
9 '90s and today, state legislative funding has been
10 increasing, and at a fairly steady pace. You'll see
11 that in a moment.

12 The other thing that started with that first
13 funding cut was private fundraising in some programs.
14 Seeds were planted. Steve Gottlieb again gets credit
15 for some of this. Both Atlanta and Colorado had early
16 little grants from LSC to do innovative work around
17 fundraising. We both started private bar campaigns.

18 And in 1988, Steve Gottlieb sent out a letter
19 to every legal aid program in the country and said, "If
20 you're interested in private fundraising, come to
21 amounting in Atlanta." And about 15 of us did, and
22 began what became a long-term, continuing to today,

1 primarily private fundraising effort that was called
2 the Fundraising Project and is now part of MIE.

3 So, moving on, this is how the money breaks
4 down today in legal services. Now, this is not just
5 LSC programs; this is all legal aid programs in the
6 United States, 50 states, actually. What I want to say
7 is -- and Jim and I have talked about this -- if you're
8 very careful around the edges, the difference between
9 trends and what's happening in legal aid programs that
10 are funded by LSC and not isn't too different. If you
11 look at things in a real hard and fast way, there are
12 some differences, and we'll note those from time to
13 time.

14 The ones in green, the pieces of the pie in
15 green, are the sections that we're going to focus on in
16 the next hour. Let me start with the blues and just go
17 through them very quickly.

18 Legal Services Corporation funding nationwide
19 for all legal aid programs is 27 percent. For your
20 grantees, it's 43 percent. But I can tell you that for
21 the members of this panel, they are close to the 27.
22 They're in the 30s, low 30s, most of them. So they

1 have, by virtue of having other funding sources, driven
2 that percentage down, and also the fact that LSC
3 funding has been declining.

4 IOLTA has fallen from about 17 percent down to
5 9 percent in the last few years. State legislative
6 money is holding in the high teens, and it's
7 approximately 50/50 split between filing fees and
8 appropriations.

9 Other Public is all the non-LSC federal money.
10 People were talking yesterday about BOWA and VOCA for
11 domestic violence. That's in there. Title III for the
12 elderly, HUD money for homelessness, some state
13 contracts that don't fit into the state legislative
14 category, plus all city and county money. A bit
15 mish-mash of sources, a lot of it highly restricted.

16 The Legal Community category includes all
17 private contributions from lawyers, law firms, anybody
18 connected with the legal community, plus it includes
19 things like attorney registration fees that are
20 mandated. The Chief Justice from Illinois talked
21 yesterday about the \$95 that every lawyer in Illinois
22 pays as part of their registration fee to help legal

1 services; that's in there. Dan will talk about a
2 similar fee in Missouri.

3 Foundations and Corporations is exactly what
4 it sounds like -- it's private foundations and
5 corporate money, but not the law firms. The law firms
6 is under the Legal Community category.

7 Cy pres: Thank you, Julie, for raising this
8 as an issue earlier today and asking how much it was.
9 What I can tell you is that -- and I started breaking
10 this out because it's an increasing source, and it's a
11 really positive development within legal aid, and it
12 has helped programs get through some of this really
13 difficult time.

14 But I can tell you that my percentage is too
15 low and the amount is too low because of what Julie
16 raised, which is that programs don't report it.
17 They've got it down in Miscellaneous, and depending on
18 how they report to us, I don't pick it up. I think we
19 count what we value, and we need to from time to time
20 change our categories so we're picking up what's most
21 important.

22 And finally, we have this Other category,

1 which includes United Way, special events, non-attorney
2 individual giving, attorney fees, and a few other
3 things that, if anybody really cares, I'd be glad to
4 show it to you.

5 Okay. This is the trends of the last ten
6 years, all legal aid programs. And again, be a little
7 different for just LSC-funded programs, but not too
8 much. Not too much.

9 So you can see the two categories that we know
10 have been falling -- the LSC, that top category, which
11 has been coming down the last two years; and then this
12 one down here, this big decline. This is the IOLTA
13 line. The IOLTA cuts are not over. We have at least
14 another year or two before they level out,
15 given -- these are grants to programs.

16 That blue line, that's the state legislative
17 line, which has continued to climb and continued to
18 hold even in this really difficult time period. I
19 don't know if it will next year. But it's taken an
20 extraordinary amount of time and energy on everybody's
21 part to make that happen.

22 The purple line is all that other non-LSC

1 public money; and the green line is all the Private
2 category, all the green from this side, totaled. And
3 let me say a couple of things about that because that's
4 what we're going to be talking about this morning.

5 We talk a lot about core program and how
6 important core programs are. And this panel, in our
7 conversations over the last few days, has really talked
8 about how critical LSC funding is to their overall
9 ability to generate other resources.

10 Our definition of core program, core funding
11 sources, is pretty much -- it's substantial. It's
12 relatively consistent, as it is doesn't fluctuate
13 wildly from year to year -- at least, you hope it
14 doesn't. And it is going to be basically
15 non-restricted money.

16 If a person walks in the door and says they
17 have a housing problem, they're being evicted, well,
18 you might be able to use some of the non-LSC federal
19 money over in your eviction category over here for your
20 foreclosure. But if you don't have that money, you can
21 use any of your -- sorry -- you have your core money
22 that you can use for almost everything.

1 And Linda Rexor -- I don't know if she's
2 here -- but she talked about stools yesterday. I'm
3 going to talk about our stool, which for a long time
4 we've seen the core funding sources as LSC, IOLTA, and
5 state legislative funding.

6 Now, it doesn't work for all states. There
7 are some states that don't have much state money.
8 There are some states that don't have a lot of IOLTA
9 money. The thing about the LSC piece is, you divide
10 your money up based on the number of poor people, which
11 is actually what we're using as our Y axis here, and
12 you spread it around the country at the same level. So
13 every state, every LSC-funded program, has essentially
14 the same amount of that money. And that is so key to
15 the survival of everything else.

16 So we have had those three as legs of the
17 stool for a long time. And of course, the IOLTA leg is
18 starting to get lower and lower. I don't know what
19 happens when you cut your one leg of your stool in
20 half, but I think it falls over.

21 Peter Edelman at the Access to Justice chairs
22 meeting, which we held in May, he made a case that we

1 need to have a chair. And the fourth leg is private
2 funding, particularly private funding from the legal
3 community. Now, I don't know what happens when you
4 shorten a leg of a chair; I guess it falls over, too.
5 But hopefully we're not moving to a new three;
6 hopefully we're moving to a four.

7 But I looked at this graph and I sent an email
8 to the members of the panel. And I said, "Let's talk
9 about what our core programs really are." LSC
10 absolutely has to be maintained. IOLTA we hope will
11 come back someday, but it's fallen to a level where
12 it's hard to count it as a core program in some states.

13 And in fact, at least three of these -- well, all four
14 of these panel members, their IOLTA number is down in
15 the teens. It's down at 5 percent or 3 percent or
16 something like that. I mean, that's a real problem.

17 Two of these programs, two of these LSC-funded
18 programs, actually have that intersection, where the
19 percent of LSC funding and the percent of private
20 funding is at about 30 percent each. And that's just
21 phenomenal in an LSC-funded program. I congratulate
22 them, and I'm thrilled that they're here with me to

1 talk with you today.

2 So the question becomes, if private
3 fundraising is a really good thing, which it is, if it
4 doesn't just give you money but it gives you support in
5 other ways because these people who give to you become
6 invested, why hasn't every program done it?

7 And my answer to that is, it's hard and it's
8 expensive. Doesn't mean it shouldn't be done, but
9 those are barriers to overcome. It requires a
10 different kind of mentality, a different set of skills,
11 than writing an LSC grant or an IOLTA grant. It
12 requires hiring a different component of people and
13 looking at everything we do differently.

14 So my list of elements for resource
15 development success, private resource development
16 success:

17 First off, organization is providing high
18 quality legal services and is respected in the
19 community. First part, if you haven't got that, it's a
20 different workshop, different session, some other
21 place.

22 (Laughter.)

1 MS. MCBURNEY: Respected in the community
2 means you have to be out there. You have to be known.
3 Your executive director has to be talking to people.
4 Steve's going to talk about that in a minute, what it
5 is that you want to be communicating to people about
6 your program.

7 Strong, dedicated volunteer leadership. You
8 cannot do this without bench and bar and other leaders
9 who care about your program who are involved in your
10 fundraising efforts. I will careful about using the
11 bench in that sentence again, but there are ways in
12 which the bench can be very helpful, including giving.

13 But LSC-funded programs need and can use some
14 additional support in figuring out how to make that
15 volunteer leadership happen.

16 Strong and sufficient staff leadership. You
17 cannot force your administrative and fundraising costs
18 down to 10 percent and still do good private
19 fundraising. It just isn't possible. It just requires
20 thinking about your administrative costs a little bit
21 differently. There's a phrase, "It costs money to
22 raise money," and it really does.

1 It requires having people who know how to do
2 development. It requires having a development
3 director, and it absolutely requires having executive
4 directors who treat this as part of their job. We've
5 got three of those people on this panel, and you will
6 see the energy that they put into raising money.

7 You need to have a well-designed resource
8 development strategy.

9 And then, finally, all of this has to be
10 accepted and committed to by everybody, staff and board
11 leadership.

12 So it's a lot of work. High reward for it.
13 And you'll see the results of it from the people on our
14 panel.

15 So Steve's going to take over, and he's going
16 to talk a little bit about elements for resource
17 development from the on-the-ground level. And I just
18 want -- there's a saying: "The best time to plant a
19 tree was 30 years ago." The second-best time is today.

20 And Steve planted the three 30 years ago, and you'll
21 see why.

22 MR. GOTTLIEB: Thank you.

1 MR. MADDOX: Steve, before you go on, can I
2 ask a question of Meredith?

3 MR. GOTTLIEB: Sure.

4 DEAN MINOW: One question. We just need to
5 make sure we get through all our panels. But go for
6 it.

7 MR. MADDOX: Thank you.

8 (Laughter.)

9 MR. MADDOX: I'd just like to know, with your
10 funding sources, do you take account of the value of
11 pro bono contributions? And if so, do you know where
12 that falls, what line that would look like?

13 MS. MCBURNEY: We leave it out. It is not in
14 here because it's not money. We've left out a few
15 other things because -- programs total it. I mean, it
16 certainly exists to places.

17 But there's a whole lot of reasons for not
18 putting it in. Programs value it differently. The
19 number would be huge. The total amount of money would
20 be increased by huge amounts of money because of the
21 level they do it. But we're talking money here.

22 MR. GOTTLIEB: Thank you, Meredith. Let me

1 start out by saying one thing that I've begun to
2 realize recently, and that is, one of the strengths of
3 legal aid programs is not something we hear about quite
4 as much as you'd think, and that is that -- and I've
5 begun to realize -- that we solve or address every
6 problem of our client population in a civil area.

7 Let me say that again. If you're talking to
8 people who have problems because they see victims of
9 domestic violence, or you see people who don't get
10 health care, or you see people whose homes are being
11 foreclosed on, or who can't get disability benefits
12 even though they have AIDS or cancer, or seniors who
13 are in nursing homes who are being subject to bad
14 conditions, we address every one of those problems.
15 Every one of them.

16 The irony is that we often take the tack of
17 talking about equal access to justice because we're
18 used to in the kind of setting that we have, because
19 people respond to it. People in this room respond to
20 the notion of equal access or however you want to call
21 it.

22 But that's not what other people respond to.

1 Not everybody in this society is a lawyer, or is a
2 lawyer who cares about equal access, because some
3 lawyers don't, presumably. But the people that we want
4 to raise money with are concerned about what advices we
5 provide to the people they're concerned about.

6 And people are concerned about different
7 people. So some people have experience with a family
8 member that's had cancer, or somebody is concerned
9 about somebody who's elderly, their mother who's in a
10 nursing home -- we address all of those problems, every
11 one of them.

12 And we don't take advantage of the fact that
13 we do that. And we don't talk that way. What we talk
14 about, in every audience, is equal access. Well,
15 that's good for some audiences, but it's not good for
16 other audiences. And what we've got to do is to start
17 talking about and responding to the passions of people
18 who have other kinds of passions besides the
19 theoretical passion of protecting poor people's in
20 court.

21 We've got to talk to the people who have other
22 kinds of passions. We've got to have multiple

1 messages. If you're talking to somebody who is in a
2 collaboration of people who deal with people who have
3 cancer, you talk about the fact that Atlanta Legal Aid
4 has a cancer project, or has a project dealing with
5 AIDS, or deals with people who are Hispanic. You
6 tailor your message to the people you're talking to and
7 talk about the passions of the people that you're
8 talking to.

9 Similarly, you've got to walk the walk. I
10 mean, you can talk about domestic violence, but if you
11 don't do any of the cases, it ain't gonna do you any
12 good when you talk to these people. They've got to see
13 you actually doing the work. And you've got to also
14 demonstrate that you've done the work. You've got to
15 show that you have outcomes that do the work.

16 In our annual report, we talk about how we've
17 handled the cases of a thousand people with domestic
18 violence, or protected a thousand people and children
19 from domestic violence. We talk about protecting
20 people's equity in people's homes of over millions of
21 dollars. We talk about saving people's homes. We're
22 talking about things that actually have practical

1 effects on people.

2 We don't talk about how many eviction cases we
3 do. We don't talk about how many domestic relations
4 cases we do except in kind of a starting -- I mean,
5 that's not insignificant. But what really is
6 significant is what we've accomplished for people. And
7 we can't forget it.

8 And that's why we can be successful in some
9 ways more than lots of other organizations can be
10 successful, because they may be limited to one
11 particular area. We are not. We do everything for
12 everything. And it's something that's taken me a while
13 to realize, but that's really the case.

14 And the other thing that's very appealing
15 about what we do, if we do it right, is that we evolve
16 to meet people's needs, the consults' needs. So 30
17 years ago, Atlanta Legal Aid didn't have an AIDS
18 project. But AIDS happened. We have an AIDS project.

19 Thirty years ago, we didn't have a predatory
20 lending section. But predatory lending happened.
21 Thirty years ago we didn't deal with disability rights.

22 But we began to realize the need of our client

1 community for disability rights. So we not only
2 respond to that, but we also respond to the evolving
3 needs of our clients. And that is something that we
4 can certainly play on.

5 And in terms of demonstrating that, I think we
6 can demonstrate that, and do demonstrate that, in two
7 different ways. One is we can demonstrate it in the
8 quantitative way. How many people do we protect
9 against violence? How many people did we keep from
10 losing their homes?

11 And then we can demonstrate it in the
12 qualitative way. I often say that there are two kinds
13 of people in the world -- that's a slight
14 over-simplification -- some people who like numbers,
15 and some people who don't.

16 And the people who like numbers want to know,
17 what is the bottom line? How many people did you
18 protect? What did you do? But then there are the
19 people, the squishy people -- I think I'm both -- the
20 squishy people who like, you know, can you show that
21 you have accomplished something with a particular
22 person? And what have you actually done to improve

1 somebody's life? And how do you show it? How do you
2 document it? Which we try to do, too.

3 In fact, it's interesting. I was going to
4 tell people that we changed our legal case management
5 system so that we have a little section which says,
6 "Good stories." We actually have in our case
7 management system, you check off "Good stories" and you
8 write something about them so that it goes to our
9 resource people, development people, so that they can
10 document the kind of good things we do in qualitative
11 way.

12 And as Meredith said, you also have to have
13 quality people that are doing this. You have to have
14 the right kind of staff. You have to have the right
15 expertise to do this.

16 (Pause, loud rainstorm.)

17 MR. GOTTLIEB: The last thing that I want to
18 emphasize that Meredith talked about is you have to
19 have the respect in your local community of actually
20 doing the work and of being professional.

21 We actually do only spend 10 percent of our
22 money on management and fundraising, and it's something

1 that we tell funders all the time because we want them
2 to know not only that we will do a good job, but that
3 we're a good steward of their money. At any rate, then
4 we're going to move on to other examples.

5 MS. MCBURNEY: Yes. Thank you, Steve.

6 We're going to move next to some very specific
7 examples. And I want to say at the start of these
8 examples that we have divided up the various
9 initiatives so that we cover a whole waterfront of
10 things, and that some people -- that everybody has a
11 private bar campaign, but not everybody's going to talk
12 about that.

13 I just want to be real clear that we've
14 divided up the initiatives in ways that the people who
15 seem to have that at the top of their ability list get
16 to talk about that, and we cover everything.

17 Jennifer Bentley is with the program here in
18 Ann Arbor. She is a development director. Within the
19 scheme of development directors, we think a best
20 practice most of the time is to hire somebody who comes
21 with the skills. Ann Arbor made a great decision in
22 ignoring that advice.

1 But Jennifer has, over the last five years,
2 gone from knowing a little bit about funding to knowing
3 a lot about fundraising. And she's gone to school.
4 She got a grant from Kellogg -- am I right? -- to
5 attend the fundraising school at Indiana University.
6 And she's one of the really good examples of a
7 development director who makes a huge difference in her
8 program.

9 You're on.

10 MS. BENTLEY: Thank you. Thanks for the
11 opportunity to address the Board today.

12 I really enjoy fundraising for legal services.
13 I think it's an opportunity to share with others the
14 important work we do, and I think it's also a
15 challenge, to describe the work we do to people and
16 make them understand it and make them understand the
17 important impact we can make in the communities that we
18 serve.

19 And so I'm going to talk about three things
20 today: special projects, our statewide campaign, and
21 also rural fundraising.

22 We've been successful in raising money for

1 statewide projects around specific substantive areas.
2 In 2008, we determined there was a real need in
3 Michigan for expanded advocacy in the areas of
4 foreclosure and in immigration, and we started the
5 Michigan Foreclosure Prevention Program as well as the
6 Michigan Immigrant Rights Center. We were able to find
7 foundations and funders that were also interested in
8 these areas.

9 The Michigan Poverty Law Program is the lead
10 agency of the Michigan Foreclosure Prevention Program,
11 and we obtained funding from the Ford Foundation,
12 Michigan State Bar Foundation, Kresge Foundation, the
13 Institute for Foreclosure Legal Assistance, HUD money
14 through the National Foreclosure Mitigation Counseling,
15 and Equal Justice Works.

16 And that funding has allowed us -- we've
17 subcontracted with all the regional legal aid programs
18 and others, and that funding us allowed us to place 11
19 lawyers throughout Michigan handling foreclosure cases
20 for the past four years.

21 Working with our partners, we developed
22 unified outcomes and have a unified case management

1 system to track those outcomes. We modified those
2 partway. It's been challenging. But we wanted to make
3 sure that the outcomes were useful for the programs in
4 analyzing their efforts, and also helpful in their
5 fundraising efforts.

6 They have proven to be really helpful in
7 talking to funders about the important work we do. And
8 so I'd be happy to discuss that in further detail with
9 anyone that wanted to learn more about that process
10 that we went through.

11 The Michigan Immigrant Rights Center leads
12 advocacy efforts and provides training and support to
13 pro bono attorneys, legal aid offices, and immigrant
14 service providers in Michigan. And we were able to
15 secure funding for that from the Michigan State Bar
16 Foundation, the Ford Foundation, the Kellogg
17 Foundation, the Arcus Foundation, law firms, and
18 companies through their corporate counsel legal
19 offices.

20 We actually have corporate counsel that are
21 doing pro bono cases for the Michigan Immigrant Rights
22 Center, and I talked to one corporate counsel, who said

1 it's the most satisfying legal work sheds. And as a
2 result, Ford Motor Company donated money through the
3 Access to Justice campaign, and designated a portion of
4 it to the Michigan Immigrant Rights Center because they
5 were so pleased with the work that they had done
6 through their pro bono efforts.

7 These grants can't replace LSC funding.
8 They're typically time-limited grants, and they're
9 typically for a topic that has at that time attracted
10 national attention, so foreclosure, immigration -- you
11 know, things that people want to fund. But both those
12 programs have really allowed us to significantly expand
13 capacity, advocacy, and representation.

14 So the second example I'm going to talk about
15 is the statewide campaign. You heard a lot about the
16 Access to Justice campaign in yesterday's meeting, so I
17 kind of consolidated down my notes to touch on some
18 brief points and talk about how the Access to Justice
19 campaign really helps programs increase resources. And
20 it's helped our program.

21 So just a quick recap. The Access to Justice
22 campaign is a partnership with the State Bar of

1 Michigan, the Michigan State Bar Foundation, and the
2 civil legal aid offices in Michigan. Donors are able
3 to don't to the statewide endowment or to regional or
4 local programs.

5 So when I, as LSSCM's development director,
6 approach firms or others to donate to Legal Services of
7 South Central Michigan, they donate through the Access
8 to Justice campaign and designate it to us. So the
9 State Bar Foundation administers the donor's dollars.

10 And I do want to minimize the challenges in
11 coordinating requests to firms or the geographic
12 disparity issues between urban and rural areas. But
13 the statewide campaign has provided us a forum to
14 address those challenges, and there are a lot of
15 benefits to having a coordinated, statewide effort.

16 When the ATJ campaign was developed 15 years
17 ago, with the exception of a couple of communities
18 there was not a lot of culture of giving to civil legal
19 aid in Michigan. In Michigan, most statewide firms
20 have offices in at least three separate communities
21 that are served by different regional legal aid
22 offices, so that can make fundraising challenging.

1 The statewide campaign provides an opportunity
2 to engage the statewide firms, both in pro bono and in
3 fundraising efforts. So when we're talking to a
4 statewide firm, we're giving them opportunities for pro
5 bono and donations.

6 Local volunteers really help us connect with
7 the firms, and they've been crucial to this effort. So
8 we've developed in each of -- we have five field
9 offices and three statewide programs, and we've
10 developed advisory boards for all of our offices. And
11 the advisory boards, we talk to them about resource
12 development. We get ideas from them.

13 Then board members also sit on the advisory
14 boards. And then we have fundraising committees for
15 each of our offices as well, and they help us make
16 connections in the local communities and do a great
17 deal of work for us.

18 We recently had success for one of our field
19 offices in Lansing. When we started the local effort
20 there, there wasn't a history of giving to legal aid.
21 So a few years ago, our fundraising, we decided to
22 start with the locally-based firms. So our fundraising

1 committee there helped us pull together the seven
2 largest locally-based firms.

3 And we brought together the presidents from
4 those firms. And because of the statewide platform
5 from the Access to Justice campaign, we invited the
6 then-Chief Justice of our Supreme Court to the lunch,
7 and so of course all the presidents came. And so we
8 were all there, and the then-Chief Justice spoke about
9 the importance of access to justice and the importance
10 of supporting the local legal aid office.

11 And then that gave us the opportunity to talk
12 about the local impact we made, the local outcomes that
13 we achieved for our clients, and the great success we
14 had had in the community. And that just has launched
15 into a successful effort.

16 So those firms were hardly contributing, and
17 now they contribute a little over \$30,000 annually to
18 our program, and they've substantially increased their
19 pro bono efforts. One of the firms had us to their
20 firmwide retreat at their home and let us talk to all
21 the lawyers about possible pro bono activities. So
22 it's been really great. And that statewide message

1 delivered by the Chief Justice was so instrumental in
2 getting that group together.

3 Finally, I want to talk about rural
4 fundraising. And I have to say there's areas in
5 Michigan that are a lot more rural than the area that
6 we serve. But some of the community -- three of the
7 five field offices that we cover are communities that
8 only have 200 to 300 lawyers total, and the largest law
9 firms have four to six lawyers in them. So some of our
10 legal aid offices are as big as the largest law firms
11 in the communities we serve.

12 We place our staffed offices in the most
13 populated communities, and we have donated our really
14 low-cost space to meet with clients in counties served
15 by field offices. The LSC funding we receive for those
16 offices provides a necessary base level of support.

17 And when we meet with local funders and
18 donors, we talk about the state and federal funding
19 that we bring into the community, and we ask for local
20 funding to help us expand those services.

21 We've talked about some of the points Steve
22 made about demonstrating outcomes. We're able to

1 demonstrate that we achieve positive outcomes for
2 clients that we're able to fully represent. We also
3 try to use our outcome measures to talk about unmet
4 need for each community, although that's been a really
5 difficult -- that's been a hard challenge with our
6 staff because staff don't like to say they didn't help
7 someone.

8 And the advice we give someone does help them,
9 but we really are looking at unmet need to look at how
10 many people we couldn't represent. So we talk about
11 that when we talk to funders.

12 In a couple of our smaller offices, local
13 funding has permitted us to fund two to three
14 additional attorneys in each of those areas. And an
15 important factor to that success is our organization is
16 really part of the local community network of
17 providers, and we really make an effort to participate
18 in community dialogues there.

19 I'm running out of time. So in smaller
20 communities, we really looked at things like United
21 Way, local community foundations, smaller foundations,
22 county treasurers for property tax foreclosure work,

1 and we've really had some great successes there.

2 And the opportunities -- and it might not be
3 as lucrative in small communities. But the elements
4 that Steve talked about still exist. There are
5 opportunities on a local connection, and dedicated
6 volunteers is really important.

7 MS. MCBURNEY: Thank you, Jennifer.

8 We're going to turn to Dan Glazier next. I
9 say two things about him. He took over from Chief
10 Justice Rick Teitelman, which meant he had big shoes to
11 fill, I think we'll all agree. Including Rick, we'll
12 probably agree that he's done it, and that he's the
13 next Steve Gottlieb. Thirty years from now, he's the
14 person who's going to be sitting in this chair.

15 MR. GOTTLIEB: Next to you.

16 (Laughter.)

17 MR. GLAZIER: So 30 years from now, I'll be to
18 the right of you?

19 (Laughter.)

20 MR. GLAZIER: That's fine. That's an honor
21 and that's a privilege.

22 Well, thank you very much. I appreciate the

1 opportunity to be here. One of the first things I got
2 to do as a new executive director in 2005 was host the
3 Legal Services Board early on in my tenure, and it was
4 an honor and a privilege. And it gave me that critical
5 appreciation of the importance of what you all do.

6 And so it was really great training for me
7 because it's fueled all that I've tried to do and have
8 done -- tried to do since then. So it's an honor and a
9 privilege to be in front of you.

10 I am the executive director of Legal Services
11 of Eastern Missouri. We serve 21 counties in Eastern
12 Missouri. We are one of four legal aid programs in the
13 state of Missouri. So we share that state with three
14 other wonderful programs.

15 And I am going to talk very briefly about a
16 couple of different areas where we have been able to
17 increase funding. But really, the essence of what I
18 want to say is fairly complicated.

19 As the real estate agent said to the group of
20 folks that he or she was meeting with to talk about
21 what the keys are, it's three things: relationships,
22 relationships, relationships. That really is so

1 critical to making any and all these things work.

2 In the area of bar dues, we are one of, as I
3 understand it, nine states throughout the country that
4 does get designated funds from our Missouri Bar. That
5 was an activity and a practice that began in 2002. And
6 again, the foundation of relationships was created, was
7 formed, so much by the gentleman whose shoes are large
8 to fill, and that's now Chief Justice Teitelman.

9 The work that Rick did as a legal services
10 executive director and on the Missouri Bar Board of
11 Governors, in the governing body, certainly laid the
12 foundation for us to get those additional fees.

13 In addition, at the very same time in 2002,
14 when we were able to get the Missouri Bar and then the
15 Missouri Supreme Court to agree to add \$20 to the bar
16 dues, we also established and were able to build on a
17 pro hac vice fee.

18 Now, I know that's a lot of Latin after lunch.
19 Father, you, I think, will get that very well, as will
20 many of the rest of us, too. But the essence of a pro
21 hac vice is it's a fee that, when you appear in a
22 jurisdiction where you are not licensed, you pay a fee

1 for that privilege in a particular case.

2 We played a role, the legal services programs
3 played a role, in getting that fee established in
4 2002 -- we didn't have it in Missouri before that
5 time -- and getting all of the money earmarked for
6 legal services, for the legal services programs.

7 At the time, it was \$100 per case. Most
8 recently -- actually, last year -- we were able to play
9 a spearheading role in getting that pro hac vice amount
10 increased. We got it increased to \$305 a
11 month -- excuse me, not a month, a case.

12 (Laughter.)

13 MR. GLAZIER: That would be good, too, on a
14 regular basis, 305 a month.

15 But that money has allowed -- actually, the
16 money that we get -- and this is all administered
17 through the Missouri Bar -- the money we get -- by the
18 Supreme Court and the Missouri Bar -- the money that we
19 get for that looks like it's trending towards doubling.

20 The four legal aid programs were getting
21 approximately \$500,000 a month in pro hac vice money
22 and in bar dues money. With the increase now in pro

1 hac vice and with 80 percent of that money going to the
2 legal services programs -- we don't get 100 percent any
3 more, but we get 80 percent -- it looks now like
4 there's a real possibility that that total could
5 double.

6 MS. MCBURNEY: You mean a month this time?

7 MR. GLAZIER: A month. Thank you. This time
8 I do mean a month.

9 MS. MCBURNEY: Between what? The pro hac vice
10 and what else?

11 MR. GLAZIER: Oh, and the bar dues. Did I say
12 a month again? Did I have problems with a month again?
13 I meant to say a year. I'm sorry.

14 FATHER PIUS: Wishful thinking.

15 MR. GLAZIER: Yes. That was wishful thinking.

16 It wasn't 500,000 a month. It's 500,000 a year.

17 Pardon me. I'm having problems with my months.

18 But we are heading towards doubling of that
19 fee, that total. And that is a combination of Missouri
20 bar dues and pro hac vice money. We also get Bar
21 Foundation money as well for various and specific
22 projects. So that's a very important element.

1 The second thing I wanted to cover is
2 something I know you all are familiar with, and that,
3 of course, is cy pres, which is not Latin but is
4 French, and basically stands for -- oh, wait, I'm in my
5 wrong spot in my notes -- it basically stands for the
6 next best thing, the next best purpose.

7 And if you all remember from law school, there
8 was the time in trusts and estates where you learned
9 that if the trust failed, you needed another purpose
10 for that trust. And that's cy pres. And now, of
11 course, it is applied to the area of class action
12 distribution, when there are residual funds.

13 And that has indeed been a very significant
14 and helpful funding source for not only my program but
15 for the four legal aid programs. One of the things
16 that we have decided, even though we are four separate
17 programs, that when it comes to the area of cy pres, we
18 work as a team.

19 Whatever jurisdiction in the state where cy
20 pres is received, the four legal aid programs share
21 that money. We share that allocation. The money is
22 allocated based on the legal services distribution

1 formula. So that money is shared, and it's very, very
2 helpful in terms of quadrupling the possibilities and
3 the opportunities for us to receive these funds.

4 We also have a committee that meets quarterly,
5 and it's made up of legal aid lawyers, plaintiffs'
6 attorneys, some defense attorneys because they're very
7 important in the cy pres equation as well, and we
8 strategize and we talk about ways that we can maximize
9 these funds.

10 And then, in a very respectful way, we do as
11 many -- and I say this in the most respectful way I
12 can -- dog and pony shows that we can to members of the
13 bar, members of the judiciary. Because the key essence
14 with cy pres often is, they don't know about it. You
15 talk to lawyers about it, and they're embarrassed
16 because they don't know it. Well, it's understandable.

17 But the more you can educate, the better we can do to
18 help indicate that.

19 And we have -- since our agreement has been in
20 place since 2004, we've raised over \$2 million in cy
21 pres dollars for legal aid. We've raised \$5
22 million -- I want to go back on my numbers -- \$5

1 million in the four legal aids with the Missouri Bar
2 money and dues and pro hac vice fees.

3 The last thing I wanted to just mention and
4 highlight was this idea, and it's kind of piggybacking
5 on what Steve said, and that is, what's the key here?
6 The key is to touch the folks you are talking about
7 working to get funding for. Touch them. Come up with
8 a good idea. Come up a good idea and you will find
9 funders.

10 And our example in this regard is one that is
11 happening in other places, but we really kind of hit it
12 at the right time and the right moment. And that is
13 the creation of a community economic development unit
14 to work with low-income entrepreneurs and to work with
15 not-for-profits, to help them thrive; and working with
16 the client population that we do, to help them to
17 succeed.

18 The key here and why this is relevant is that
19 yes, in very, very challenging, difficult times, with a
20 very active bar campaign, we are going to a lot of our
21 funders about core projects. But with this project, we
22 were able to track funders that never would have

1 thought about giving to legal services for the kinds of
2 work that we were doing.

3 That's banks; we've gotten a lot of funding
4 for this project from banks because to them, the idea
5 of growing businesses and stabilizing neighborhoods,
6 that you can sell to them.

7 Another entity that we got funding from that
8 we had never gotten funding from before was the city
9 development corporations. We're getting money from
10 both St. Louis City and St. Louis County to do this
11 project.

12 Again, the essence here is while we are
13 working very hard to fund the core elements that we
14 need to address, to be able to find additional funding
15 sources for additional programs that we wouldn't be
16 getting money is really critical.

17 And the last main benefit of all of these,
18 especially in the area of this new community economic
19 development project, is it depends on transactional
20 lawyers and volunteer lawyers to do this work. And so
21 we are multiplying the commitment.

22 We're getting different funding sources, and

1 we're bringing in different lawyers who wouldn't do pro
2 bono because they're not comfortable with
3 non-transactional work. But in this regard, we're
4 bringing them in. So I think, to that extent, we can
5 only grow.

6 Thanks.

7 MS. MCBURNEY: Thank you.

8 With Deierdre, we're going to turn to
9 something that has been kind of a phenomenon in legal
10 services, which is usually you raise a lot of money
11 first for general operating and projects, and then you
12 think about a building campaign.

13 And in legal services, lawyers and others like
14 to give to something concrete. And Deierdre's program
15 went right for it, and she's going to talk about their
16 capital campaign and how that's resulted in money in
17 the long run.

18 MS. WEIR: Good afternoon, everyone. I've
19 been at Legal Aid and Defender for 29 years last week,
20 and I pray that I'm not here 30 years from now.

21 (Laughter.)

22 MS. WEIR: That's my prayer.

1 As Meredith said, we started out back in,
2 really, 2005 with a comment from our auditor, who in
3 the process of doing out audit said, you're spending
4 more money on rental expense than you would spend if
5 you purchased a building. And that had a profound
6 effect on both myself and my board.

7 So over the next two or three years, we really
8 developed what I call a telescopic view of our budget
9 as opposed to a microscopic, the theory being if we
10 could find a building that we could afford that could
11 meet our needs that we could finance, that we would not
12 only reduce our ongoing expense on a day-to-day basis
13 in the foreseeable future, but at some point that
14 property would be paid for and it would become a
15 significant asset to the Corporation, the current
16 housing market notwithstanding.

17 And so we did that. So we hired a fundraiser,
18 and we went about developing a capital campaign. And
19 we had never done this before. It wasn't one of my
20 favorite things to do. But with good coaching, we set
21 a goal of \$1.5 million that we were going to raise over
22 about a three-year period.

1 And we stepped out even further and said we
2 wanted to focus, of course, on our major law firms in
3 our area -- and we're in the Detroit metropolitan area.

4 But we also decided we wanted to reach out to a group
5 that we had never tapped before, and that was the
6 corporations in and around Detroit, most of which, of
7 course, because of what we do, was the automotive
8 industry and the related tier groups.

9 So we set about doing that. And what we found
10 is, as Steve talked about, people like to know what we
11 do and who we help. We also discovered that
12 corporations like to have their names on things. And
13 so we developed a capital campaign, and at the end of
14 it we raised \$1.49 million in less than the three
15 years. I think we had less than 1 percent failure on
16 our pledges.

17 But the bigger part of that is that we also
18 created partners and relationships that we'd never had
19 before. So although we always said Ford, and from whom
20 we have an endowment, we then developed relationships
21 with general counsels at General Motors Corporation,
22 the Lear Corporation, Ford Motor Company, as well as a

1 number of second- and third-tier suppliers who, in
2 addition to having plaques of their company on various
3 parts of our building, they also became our greatest
4 supporters. And they learned about us in the process
5 of doing it.

6 And the other side effect of that is that we
7 actually ended up reducing our rental expense,
8 surprisingly, by about 60 percent by buying a building.

9 And so when we started to have cutbacks in terms of
10 LSC funding as well as our state funding for our
11 criminal work, that blow was a lot less than it would
12 have been because of the savings that we incurred from
13 buying a building.

14 And again, hopefully at some point in time in
15 the 20 years -- and I hope not to be here then,
16 either -- the building will be paid for and we will
17 have that as an asset as well as continue to develop
18 the relationship.

19 So those corporations have become very
20 supportive in helping us with our pro bono work as well
21 as the two or three fundraisers that we do throughout
22 the year.

1 MS. MCBURNEY: Steve Gottlieb will tell you
2 that I never let him have the last word. So I'm going
3 to let him have the last word, as we're getting close
4 on time, to bring us full circle back to the most
5 important place to raise money for legal aid programs
6 because it's the place where everybody else wants to
7 know whether or not we are raising money, and that's
8 the private bar campaign.

9 You're on.

10 MR. GOTTLIEB: A little bit of history, which
11 you've already heard. I think all of us to some extent
12 got started in the crisis of the '80s -- well, at least
13 all of us who were there -- and at that point, just for
14 our own history, we were 75 percent dependent on LSC
15 funds, which was not a good place to be. And we were
16 faced with a prospect of, well, potentially losing all
17 of it, but then potentially losing 25 percent of it
18 based on the first cuts.

19 And so what we did was we started thinking
20 about what we were going to do. And the first thing we
21 did was to cut our own staff because in order to have
22 credibility, we had to say that we had tried first.

1 But the second thing we did was to go to the private
2 bar, which is our natural constituency, as you all
3 know, as we've come out today very often, and we asked
4 them to help us. And they did.

5 And we raised about \$157,000 back in 1983.
6 And we actually got a grant from the Legal Services
7 Corporation before that to hire a fundraiser who helped
8 us do that. And then we set up a demonstration project
9 kind of at legal aid where we helped other programs
10 figure out how to do private bar campaigns.

11 We now raise about \$1.8 million a year based
12 upon an increase we just had this past year. And it is
13 our second largest source of funding. At some point, I
14 thought with LSC going this way, we might be number one
15 with the bar. I hope that doesn't happen. But it does
16 demonstrate how supportive the bar is in Atlanta.

17 And the things that I wanted to get at were:
18 How were we successful about it? I mean, in
19 retrospect, I think about what things it was that made
20 that work. And for that matter, I don't speak just for
21 myself because, Meredith, how many dollars are private
22 bar campaigns? Do you know off the top? Millions, at

1 any rate.

2 MS. MCBURNEY: Yes, \$66 million or something
3 like that.

4 MR. GOTTLIEB: Right. \$66 million of private
5 money comes in from bar campaigns. How has that been
6 successful?

7 Well, a lot of ways. First of all, as I said,
8 lawyers do understand access, and people did respond to
9 that to begin with. But again, as I said earlier and I
10 will repeat myself, I think what we were able to do was
11 to demonstrate the value of what we did to lots of
12 people in lots of ways.

13 I mean, I didn't think about this when we
14 started it. But the more we did it, the more I
15 understood that, I think. And one of the things I
16 think people understood was that we were accomplishing
17 something, and we were also diversifying ourselves and
18 showing that we were worthy of their money because of
19 all the good work we did, which we were able to
20 demonstrate. And because we were responsive to our
21 client community, we could talk about that.

22 Interestingly, one of the insights I think I

1 found was that instead of thinking about a private bar
2 campaign as just something where lawyers give us money,
3 one of our resource people told me to call people who
4 were making larger contributions to us and thank them.

5 And I didn't exactly know what to say when I thanked
6 them.

7 So I would call people up, and I started to
8 kind of -- it developed as I went along. And one of
9 the things I learned was that what I was saying was,
10 it's wonderful that you would support us, and not only
11 are we worthy of your support, but we keep doing great
12 things and we keep being worthy of your support.

13 So I would talk about new projects. I'd talk
14 about our new medical-legal collaborative. Or I would
15 talk about something new that we were doing because I
16 wanted to say, you know, I don't only appreciate what
17 you're doing, but I want to tell you what we've done in
18 response.

19 And nobody said, we only want to give you
20 money for this one thing or that one thing. It always
21 was an indication of why they believed in the strength
22 of the program. It was just a way of showing how we

1 were responsive to the client community and how we
2 accomplished things that they wanted us to accomplish.

3 And in fact, what was interesting was, we got
4 a grant from the Home Depot Foundation, which actually
5 was unsolicited, which made me feel very good. And in
6 the context of this grant, somebody described us as an
7 "anchor nonprofit."

8 And I thought, what a nice thing to say. Here
9 we're like a Home Depot store in the middle of the
10 nonprofits.

11 (Laughter.)

12 MR. GOTTLIEB: And we're the anchor because
13 we're stable, because we send people other places,
14 because we do every -- I mean, a Home Depot has every
15 department for everybody. So as I said, we do
16 everything. And we're kind of like an anchor nonprofit
17 in our community.

18 Which leads me actually to the last thing.
19 Actually, I'm going to step back one more second.

20 MS. MCBURNEY: You've only got one more
21 second.

22 MR. GOTTLIEB: Okay. But it has to do with

1 Jim Sandman, so I've got to tell it.

2 The one other thing that I always say, and
3 I've said it before earlier today, and I'll say it
4 again, is that what really makes people want to
5 contribute to you is if they think you do a good job.

6 And when Jim Sandman came when he first became
7 President of the Legal Services Corporation, he came to
8 the office because he was over at the ABA mid-year
9 meeting. And he walked into our offices, and we were
10 talking. And I walked him down the hall, and I had him
11 talk to people down the hall, just for no particular
12 reason, no particular person.

13 And I thanked him for coming, and he sent me
14 an email back the following morning saying, "You know,
15 I was so glad to come to see your program because the
16 people in your program were jumping out of their skins
17 in enthusiasm for their cases." You cannot get a
18 better statement of support than that.

19 And the final thought I will leave you with is
20 maybe -- because I won't be here in 30 years, so one
21 starts thinking about things like legacies -- that one
22 of the things that I think you do, and it's

1 self-fulfilling, one of the things you do and one of
2 the things you get out of fundraising is recognition of
3 your organization as an institution in the community.

4 And I more and more think that the reason
5 we've had this kind of support is because people do
6 think of us as an institution in Atlanta, and that we
7 deserve their support. And so we get it. And also,
8 you get the dignity out of the recognition that other
9 people give you, too.

10 So it's a remarkable -- I've learned a lot.
11 And I'll be happy to answer any questions. But
12 Meredith, you'll finish. Right?

13 MS. MCBURNEY: Yes. We've sort of eaten up
14 your Committee meeting's time. We'd be glad to take
15 questions, or we'd be glad to let you take your break.

16 CHAIRMAN MIKVA: Five minutes? Five minutes.

17 Ms. Browne?

18 MS. BROWNE: I really recognize the need for
19 endowments and to make sure that you have an endowment
20 in place to meet any shortfalls that you have during
21 the year. And I know that endowment was one of them.

22 MR. GOTTLIEB: Right. I'm sorry. I didn't

1 get to it.

2 MS. BROWNE: And I was hoping you would touch
3 on it before you left.

4 MS. MCBURNEY: We took away his cheat sheet.

5 MR GOTTlieb: We started an endowment based
6 upon a cy pres to kind of wrap things together. We got
7 a million-dollar cy pres in 1996, and the judge said
8 that we should use it as far as an endowment at my
9 suggestion because I kind of instinctively knew -- and
10 I think 1996 is a good reason to know -- that things
11 could be bad.

12 And so we created this endowment, and we put a
13 million dollars aside. And then we added to it because
14 we had this opportunity that we got the million
15 dollars. And so we went out and raised money, and we
16 now have \$4 million.

17 But it has really been the most amazingly
18 important thing -- one of the most important things
19 I've ever done, in the sense that it really was a
20 buffer in these really terrible times. It is
21 incredibly important, and I wish I had more time to
22 spend about it.

1 But you're absolutely right. It's a very,
2 very important thing to do.

3 MS. MCBURNEY: How much is it worth now?

4 MR. GOTTLIEB: It's worth about \$4 million.

5 MS. BROWNE: You started with the one million
6 cy pres.

7 MR. GOTTLIEB: Yes. Yes.

8 MS. BROWNE: And then you said you added to
9 it.

10 MR. GOTTLIEB: Yes.

11 MS. BROWNE: Was it all cy pres money, or was
12 it --

13 MR. GOTTLIEB: No. There was some more cy
14 pres money, and that was great. But we also did some
15 campaigns with the local bar, and we got individuals
16 who made contributions to the endowment. And then
17 we've grown it over the years.

18 Recently we had a half a million dollar
19 contribution from an individual whose father was the
20 founder of legal aid in Atlanta. And so we've worked
21 on it, and it's very valuable. Yes.

22 MS. BROWNE: Is Atlanta the only one that has

1 an endowment?

2 MR. GOTTLIEB: No. I think there are a few
3 other.

4 MS. MCBURNEY: There are a lot of them.
5 Atlanta is the biggest. The state of Washington, which
6 has a statewide campaign, is probably the second
7 largest. Greater Boston Legal Services has been
8 working hard the last few years to develop an endowment
9 campaign.

10 Most of them are at this point fairly small,
11 and it's really the alligators in the swamp and the
12 when do you make the decision to put money into an
13 endowment. And you might want to --

14 MS. BENTLEY: Actually, yes. Michigan's
15 endowment is approaching \$4 million now, too, as part
16 of the Access to Justice campaign.

17 MS. BROWNE: And how are you getting your
18 endowment funds?

19 MS. BENTLEY: The Access to Justice campaign
20 is a coordinated effort.

21 MS. BROWNE: Just your -- oh, I'm sorry.

22 MS. BENTLEY: And so every year, or annually,

1 attorneys are asked to either donate to their local
2 program or to the statewide endowment.

3 MS. BROWNE: That's good. Excellent.

4 CHAIRMAN MIKVA: Mr. Grey.

5 MR. GREY: Thank you very much. I've got to
6 tell you, every time we do this, we are much more
7 educated and appreciate the learning that we're
8 receiving from you.

9 I wanted to pick up on Vic Maddox's point
10 about pro bono just as apt of not only interest, but it
11 is something that we've created in terms of a task
12 force, and to see as a very critical part of how the
13 bar responds to the need that is out there.

14 And while I recognize that we can't get it to
15 the point of being rocket scientists in precision in
16 understanding what the value is, there's a value. And
17 so how we do that and how it is reflected, I think,
18 gives us ammunition, if you will, in terms of
19 understanding how we as a society, and particularly as
20 a profession, respond to the need that's out there.

21 And so it would be terrific if we could think
22 about that and make sure that that is a part of the

1 conversation in terms of what contributions are made.
2 I know that the legal community, while it makes a
3 substantial monetary contribution, would love -- not
4 "love" -- is asked increasingly and sees a value in
5 being a lawyer in making this contribution.

6 And I tell you, with PBI, it's transformed the
7 culture of our presentation. And so it seems to me
8 we've got to figure out where a slice goes in that pie.

9 MR. GOTTLIEB: Let me add something to that,
10 if you don't mind. Two reasons why that's very, very
11 important in my mind, aside from the reflection it is
12 of the bar.

13 As -- who's sitting next to me -- Meredith
14 said, one of the things in private fundraising that you
15 have to do is people instinctively think, why should we
16 give money to lawyers? Because you already have a lot
17 of money. We don't need to give money to lawyers.

18 So the credibility we have to overcome, which
19 is one of the reasons I talk about what we do, but you
20 have to overcome some of that. And one way to overcome
21 it is to talk about how lawyers already contribute.
22 And they contribute not only money, but they contribute

1 time. So it's very important that we be able to say
2 that in our own fundraising pitches.

3 The other thing that I want to say that maybe
4 everybody knows, but when I started this, I was a
5 little worried that raising money might undercut pro
6 bono or vice versa, you know. And it's exactly not
7 that. The same people who support you support you on
8 both.

9 MR. LEVI: It's almost like stewardship of a
10 donor.

11 MR. GOTTLIEB: Absolutely right. Absolutely
12 right.

13 MR. LEVI: So three quick comments, and then a
14 question.

15 First, I think it's terrific. Your
16 presentation is terrific. And of course, you probably
17 find that when you have to go out and see donors and
18 tell your story, you think about yourself. You think
19 about your operation. How are we going to talk about
20 ourselves?

21 MR. GOTTLIEB: Sure.

22 MR. LEVI: That's always healthy for

1 organizations. And the second is, it's an opportunity
2 to tell your story, which if you weren't in the
3 campaign or if you weren't asking, why would you be
4 there? So it motivates that discussion, too.

5 MR. GOTTLIEB: Sure.

6 MR. LEVI: The third is that I think on
7 endowment, the issue that you have there right now
8 is -- at least I would assume from donors is -- when
9 the need is so oppressive currently, they will say,
10 wait a minute. No. We don't want you salting this
11 away. For what rainy day? It's now. We need it now.
12 So there's that tension.

13 But question is -- and we've been great; I
14 think the bar has been pretty good at stepping up.
15 What about outside the bar? What about outside the
16 bar? And I know you talk about corporations, but I'm
17 assuming it's through their law departments. But maybe
18 I'm wrong.

19 MS. MCBURNEY: Well, the corporation, it
20 depends. But let me say two things. Number one, we
21 are starting to look outside the bar, particularly if
22 you're talking about -- I mean, whether it's the

1 non-legal -- the regular portion of the corporation or
2 non-attorney -- the general public, as opposed to these
3 creatures that we've identified. We're the only
4 segment of society that talks about "other people" as
5 though they're not lawyers. It's really weird.

6 (Laughter.)

7 MS. MCBURNEY: But at any rate, we are
8 starting to look at those. And let me say two things,
9 and one of them is, we've been insular. We started
10 these campaigns. We talked about private bar campaigns
11 for years. We aimed everything at that.

12 At MIE, we've been turning that around and we
13 are talking about starting an individual private donor
14 campaign that includes, depending on where you live,
15 from day one, a whole variety of people. And we have
16 some pretty good examples of that, mostly in smaller
17 programs in the country.

18 Number three: We are leaving so much money on
19 the table from the legal community. Your
20 community -- Chicago is the best example because there
21 were, what, 30 programs, most of them raising money,
22 pulling a lot of money out of the legal community.

1 And the Chicago Bar Foundation took a look at
2 that and said, we aren't getting at the individual
3 lawyers, particularly the associates in the big law
4 firms. And the first year of their campaign, they
5 generated a million dollars in new money. So we are in
6 fact trying to cover that waterfront better, and we
7 recognize all the pieces that were missing.

8 MR. LEVI: Well, what I mean by this is people
9 give to breast cancer because they know of people who
10 were helped by -- they don't themselves have breast
11 cancer. They may not be women. And so I think that we
12 need to, as a group, think about -- because people give
13 to people, and people give to good programs -- how we
14 broaden out our messages.

15 But anyway, I'm worried about our time and the
16 next committee.

17 CHAIRMAN MIKVA: I really want to thank the
18 panel. I would like to ask a provocative question
19 about what you think about LSC fundraising, but we
20 don't have time for that.

21 (Laughter.)

22 CHAIRMAN MIKVA: I will ask -- maybe this is

1 more for Mr. Sandman -- do we have some way to get this
2 information readily available to other grantees? It
3 seems like they could benefit a lot from this.

4 MR. GOTTLIEB: That's the answer to your
5 question.

6 MS. MCBURNEY: We're working on it.

7 MR. GOTTLIEB: Well, that is the answer to
8 your question. What can LSC do?

9 MR. LEVI: And we have an Institutional
10 Advancement Committee now, too, and we can start to
11 figure out how we can help in that arena, to.

12 PRESIDENT SANDMAN: The answer is yes. I
13 think the transcript here by itself will give us
14 something to work with. But these people here are the
15 stars, and there is great unevenness across the legal
16 services community in the ability of different programs
17 to be successful in fundraising the way these people
18 have.

19 People have great difficulty talking about
20 legal services in terms the others can understand.
21 Just the term "legal services" is meaningless to a lot
22 of people, including a lot of lawyers.

1 But what you all seem to have captured is how
2 to talk in plain English and human terms to people that
3 they understand. And that's what we need to find a
4 better way to spread so that more programs can realize
5 the success that these ones here have had.

6 MR. LEVI: As Steve has found out. We've got
7 everybody.

8 MR. GOTTLIEB: We've got lots of tools.

9 MS. MCBURNEY: We look forward to continuing
10 to work with you. And we all stand ready to do that.

11 CHAIRMAN MIKVA: Thank you so much.

12 (Applause)

13 CHAIRMAN MIKVA: Do we have any public
14 comment?

15 (No response.)

16 CHAIRMAN MIKVA: Could I have a motion to
17 adjourn?

18 M O T I O N

19 FATHER PIUS: So moved.

20 MS. BROWNE: Second.

21 CHAIRMAN MIKVA: All in favor?

22 (A chorus of ayes.)

1 CHAIRMAN MIKVA: The meeting is adjourned.

2 Thank you.

3 (Whereupon, at 3:01 p.m., the Committee for
4 the Promotion and Provision for the Delivery of Legal
5 Services was adjourned.)

6 * * * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22