



LEGAL SERVICES CORPORATION
400 Virginia Ave., S.W., Washington, D.C. 20024-2751

Terrance J. Wear
President

Writer's Direct Telephone
(202)

863-1839

December 26, 1989

Michael Leonard, Executive Director
National Clearinghouse for
Legal Services, Inc.
407 S. Dearborn, Suite 400
Chicago, Il 60605

Re: Your Freedom of Information Act ("FOIA") Appeal (89-20)
of November 13, 1989.

Dear Mr. Leonard:

This letter is in response to your FOIA appeal of November 13, 1989, which was received by the Legal Services Corporation ("LSC" or "Corporation") on November 15, 1989. Your appeal relates to the August 18, 1989, denial of access by the FOIA office of the Corporation to:

(1) all hand written and other notes made by Darryl Loveland during her inspection of the National Clearinghouse for Legal Services ("NCLS") personnel files; and

(2) a copy of any written policy(ies) of LSC that authorized non-disclosure of notes made by monitors from personnel files of an LSC program during the course of a monitoring visit.

Upon review of the matter, I have concluded that the notes may not be released to you insofar as the records you seek are drawn from personnel files and contain factual information copied from those files. These records are exempt from disclosure as personnel files and information compiled for enforcing the Act. 45 C.F.R. §1602.9(a)(5) and (6). The Corporation will protect carefully the privacy interests of employees whose files it reviews.

As to your appeal of the written policy(ies) that authorize on-site non-disclosure by the monitors, the decision to disclose

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Robert A. Valois
Raleigh, North Carolina

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Jackson, Mississippi

Mr. Michael Leonard
December 26, 1989
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such notes properly rests with the Corporation.¹ The Corporation's guidance on disclosure of such records is FOIA, 5 U.S.C. §552, 45 C.F.R. Part 1602, and such other provisions of law as may apply.

I, therefore, uphold the August 18, 1989, denial of your July 27, 1989, request for these documents.

Very truly yours,



Terrance J. Wear
President

¹ See, e.g., the LSC Independent Consultant Contract for Monitoring and Evaluation or Other Professional Services, which provides in paragraph 4 that the work product of the monitors is "the sole property of the Corporation" and shall not be used or released by the monitor without the prior written approval of the Corporation.



LEGAL SERVICES CORPORATION
400 Virginia Ave., S.W., Washington, D.C. 20024-2751

Terrance J. Wear
President

Writer's Direct Telephone
(202) 863-1823

December 26, 1989

Mr. Wayne Merrill
National Clearinghouse for
Legal Services, Inc.
407 S. Dearborn, Suite 400
Chicago, Il 60605

Re: Your Freedom of Information Act ("FOIA") Appeal (89-22)
of November 13, 1989.

Dear Mr. Merrill:

This letter is in response to your FOIA appeal of November 13, 1989, which was received by the Legal Services Corporation ("LSC" or "Corporation") on November 15, 1989. Your appeal relates to the August 18, 1989, denial of access by the FOIA office of the Corporation to:

all hand written and other notes made by
Darryl Loveland during her inspection of the
National Clearinghouse for Legal Services
("NCLS") personnel file of Wayne Merrill.

Upon review of the matter, I have concluded that the notes may be released to you insofar as the records you seek are drawn from your own personnel file and contain only factual information copied from your personnel file. Disclosure constitutes an exercise of my discretion after inspection of the records, even though they are otherwise exempt from disclosure as personnel files and information compiled for enforcing the Act. 45 C.F.R. §1602.9(a)(5) and (6). It is important to note, however, that in a FOIA request for the same information from a third party requester, the privacy interests of the employee would be carefully protected.

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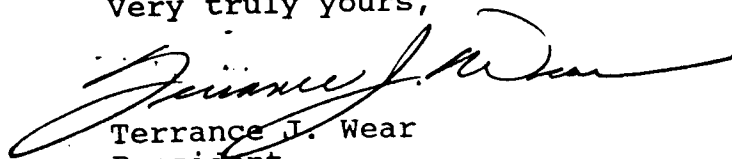
Robert A. Valois
Raleigh, North Carolina

Michael B. Wallace
Jackson, Mississippi

Mr. Wayne Merrill
December 26, 1989
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I, therefore, am reversing the August 18, 1989, denial of your August 8, 1989, request for these documents. Copies of the notes are enclosed.

Very truly yours,



Terrance J. Wear
President

Enclosure



LEGAL SERVICES CORPORATION

400 Virginia Ave., S.W., Washington, D.C. 20024-2751

Terrance J. Wear
President

Writer's Direct Telephone
(202)

863-1839

December 26, 1989

Ms. Patricia Gordon
National Clearinghouse for
Legal Services, Inc.
407 S. Dearborn, Suite 400
Chicago, Il 60605

Re: Your Freedom of Information Act ("FOIA") Appeal (89-19)
of November 13, 1989.

Dear Ms. Gordon:

This letter is in response to your FOIA appeal of November 13, 1989, which was received by the Legal Services Corporation ("LSC" or "Corporation") on November 15, 1989. Your appeal relates to the August 18, 1989, denial of access by the FOIA office of the Corporation to:

all hand written and other notes made by
Darrcy Loveland during her inspection of the
National Clearinghouse for Legal Services
("NCLS") personnel file of Patricia Gordon.

Upon review of the matter, I have concluded that the notes may be released to you insofar as the records you seek are drawn from your own personnel file and contain only factual information copied from your personnel file. Disclosure constitutes an exercise of my discretion after inspection of the records, even though they are otherwise exempt from disclosure as personnel files and information compiled for enforcing the Act. 45 C.F.R. §1602.9(a)(5) and (6). It is important to note, however, that in a FOIA request for the same information from a third party requester, the privacy interests of the employee would be carefully protected.

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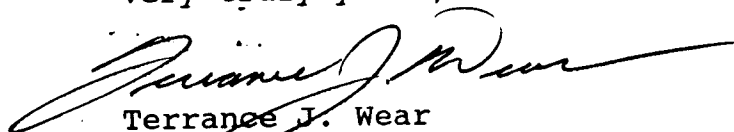
Robert A. Valois

Michael B. Wallace

Ms. Patricia Gordon
December 26, 1989
Page 2

I, therefore, am reversing the August 18, 1989, denial of your July 28, 1989, request for these documents. Copies of the notes are enclosed.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Terrance J. Wear", written in dark ink.

Terrance J. Wear
President

Enclosure