

WITHDRAWAL SHEET

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FOIA ID: F1997-066/⁹6, D. Cohen
Date: 08/17/2004

DOCUMENT NO. & TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. memo	Kenneth Cribb to Edwin Meese re developments at LSC [draft w/edits], 1p	9/24/82	B6
2. memo	Cribb to Meese re LSC, 1p [Item is still under review under the provisions of EO 13233]	9/7/82	B6
3. letter	William Harvey, Harold DeMoss, George Paras <i>et al.</i> to Gerald Caplan, 1p [Item is still under review under the provisions of EO 13233]	9/24/82	
4. letter	Harvey, DeMoss, Paras <i>et al.</i> to Clinton Lyons, 1p [Item is still under review under the provisions of EO 13233]	9/24/82	

RESTRICTIONS

- B-1 National security classified information [(b)(1) of the FOIA].
- B-2 Release could disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA].
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA].
- B-4 Release would disclose trade secrets or confidential commercial or financial information [(b)(4) of the FOIA].
- B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA].
- B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA].
- B-7a Release could reasonably be expected to interfere with enforcement proceedings [(b)(7)(A) of the FOIA].
- B-7b Release would deprive an individual of the right to a fair trial or impartial adjudication [(b)(7)(B) of the FOIA].
- B-7c Release could reasonably be expected to cause unwarranted invasion or privacy [(b)(7)(C) of the FOIA].
- B-7d Release could reasonably be expected to disclose the identity of a confidential source [(b)(7)(D) of the FOIA].
- B-7e Release would disclose techniques or procedures for law enforcement investigations or prosecutions or would disclose guidelines which could reasonably be expected to risk circumvention of the law [(b)(7)(E) of the FOIA].
- B-7f Release could reasonably be expected to endanger the life or physical safety of any individual [(b)(7)(F) of the FOIA].
- B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA].
- B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA].

C. Closed in accordance with restrictions contained in donor's deed of gift.

Legal Serv Corp

THE WHITE HOUSE
WASHINGTON

= Legal Serv

- ① Paras → Helene call
- ② confirm other 8
- ③ recess appt 3 others
(2 + Paras slot)
- ④ DeMoss =
 - a. resolution unnecessary =
 - b. Pres' policy =

THE WHITE HOUSE
WASHINGTON

Jennings Randolph
will not vote
for Paras.
Per K.D.

Jim

LIKELY LEGAL SERVICES BOARD VOTING PATTERN

Sure Votes

1. Harvey
2. Olson
3. Stubbs
4. Paras (or Replacement)
5. Replacement for Sandstrom
6. Replacement for Worthy (Client Holdover)

Swing Votes

7. McKee
8. Slaughter

Opposition Votes

9. Dana
10. DeMoss
11. Earle

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 1 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 2 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

HAROLD R. DEMOSS, JR.
2900 SOUTH TOWER PENNZOIL PLACE
HOUSTON, TEXAS 77002

August 30, 1982

TO: CHAIRMAN AND MEMBERS OF THE BOARD OF DIRECTORS
OF THE LEGAL SERVICES CORPORATION

Dear Mr. Chairman and Ladies and Gentlemen:

Enclosed for each of you is a redraft of the resolution which I submitted to you under date of August 23, 1982.

* { As a result of a briefing which I received on August 27 from Gerry Caplan and Dennis Doherty, I am persuaded that there is no real possibility of H.R. 3480 passing in this session of Congress. Additionally, I am aware that some of you had some real concerns about some of the provisions of H.R. 3480. Consequently, I have revised this resolution to eliminate any references to H.R. 3480 as such and have substituted a new paragraph 5 dealing with those items of legislative relief which I think are most essential to effective management of the Legal Services Corporation and curing of some of the most egregious problems. Most of these items of legislative relief are referred to in Gerry Caplan's memo of August 19 to the Board of Directors dealing with legislative priorities.

I have made some other changes suggested by Howard Dana and Bob Stubbs. I would hope that we can get this resolution in form and content satisfactory to a substantial majority of the Board before the next meeting. Toward that end, I encourage each of you to share with me by letter or telephone call any language or concept problems which you have with this most recent draft. I will continue the process of polishing this resolution in light of those comments.

Best regards to all,

Yours very sincerely,


Harold R. DeMoss, Jr.

HRD/db
Enclosure

August 30, 1982
Page 2

cc: Mr. Gerald M. Caplan
President
Legal Services Corporation
733 Fifteenth Street, N.W.
Washington, D.C. 20005
(with enclosure)

RESOLUTION
FOR BOARD OF DIRECTORS
OF LEGAL SERVICES CORPORATION

BE IT RESOLVED by the Directors of the Legal Services Corporation that, in order to communicate to the President, the Congress and the public its views as to the various issues now facing the Corporation, the Board does hereby adopt the following statements of principle, policies and positions:

* 1. The program for providing civil legal representation for the poor as created by the Legal Services Corporation Act is a needed and worthwhile program which serves the national interest and should be continued.

* 2. The Board is aware that this program, as is the case with other government programs, suffers from certain flaws, abuses and irregularities. Such imperfections, however, are curable and affect only a part of the total operation; and should not be a reason for terminating the good which the program otherwise provides.

* 3. The Board requests the Congress to adopt and the President to approve an appropriation for the Corporation for Fiscal Year 1983 in the amount of \$241,000,000.00.

* 4. Any substantial reduction in the level of appropriations for the Corporation below the level of \$241,000,000.00 at which the Corporation is presently operating will cause significant loss in the ability of the Corporation to deliver legal services to the poor through programs now in place; and will make it difficult for the Corporation to comply with the standard of "equal

geographical access" contemplated by the Legal Services Corporation Act.

5. The Board requests the Congress to pass and the President to approve legislation which will:

a) repeal existing statutory provisions which give a presumptive right of refunding to Grantees and contractors of the Corporation;

b) authorize the Corporation to bring suit against its grantees and contractors for specific performance of terms and conditions of such grants and contracts; and

c) authorize the Corporation to adopt rules and regulations dealing with the subjects of (i) legislative advocacy and lobbying by attorneys whose salaries are paid with funds from the Corporation; (ii) utilization of class action remedies and (iii) documentation of client eligibility.

6. Until further action by this Board, the goals of the Legal Services Corporation should be:

A. To bring all activities of the Corporation and its grantees and contractors into full compliance with statutory and regulatory requirements;

* B. To maintain itself and its programs at substantially current levels as the nucleus of all programs aimed at providing individual civil legal representation for the poor;

C. To work towards a diversification of the system for delivery of legal services to the poor so as to include, where appropriate, other delivery systems such as *judicare* and *pro bono* or combinations thereof with existing systems; and

D. To encourage the development of other programs as means of providing civil legal representation for the poor, to insure access of all to the courts.

Achievement of such goals will require:

(a) Concentration of the human and financial resources of the Corporation and its grantees in those areas of civil legal representation which are expressly authorized by statute and regulation;

(b) Cooperation between the Corporation and its grantees in defining those areas of civil representation which can more efficiently be provided by programs other than those based upon staff attorneys; and

(c) An attitude of mutual respect and confidence between the Corporation, its grantees and all organizations involved in the delivery of legal services to the poor.

27 SEP 1982

LEGAL SERVICES CORPORATION

September 24, 1982

Gerald M. Caplan
Acting President
Legal Services Corporation
733 15th Street, N.W.
Washington, D.C. 20005

Dear Jerry:

It is our understanding that your resignation as Acting President is effective on Monday, September 27, 1982. Further, you have sent a memorandum to Clint dated September 15, 1982 purporting to delegate to Clint all powers of the President of the Corporation until such time as a new President is elected by the Board of Directors.

As members of the Board, we strongly disagree with your memorandum and its assertion that Clint will have the powers of the President of the Corporation. For example, we do not believe that Clint will have the authority to enter into grants and contracts for the Corporation. Under the Legal Services Corporation Act, only the Board of Directors is empowered to elect a President, and to confer Presidential powers, and your letter cannot substitute for official Board action. Clint's status as Acting Vice President, will continue until the Board meets but that status does not include the powers of the President.

In order to insure that there is no confusion in this matter, we hereby request that you agree to comply with the views of the undersigned members of the Board of Directors as expressed in this letter.

Sincerely yours

William F. Harvey
Chairman

Harold R. DeMoss
Director

George Paras
Director

Ann Slaughter
Director

Clarence McKee
Director

William J. Olson
Director

Robert S. Stubbs II
Director

Dave Satterfield
Director

AGREED:

Gerald Caplan

date: _____



LEGAL SERVICES CORPORATION

September 24, 1982

Clinton Lyons, Esquire
Acting Vice President
Legal Services Corporation
733 15th Street, N.W.
Washington, D.C. 20005

Dear Clint:

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AGREED:

Clinton Lyons

date: _____



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Robert S. Stubbs II
Director

Dave Satterfield
Director

AGREED:

Clinton Lyons

date: _____