

Irene Gomez-Bethke Papers.

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

By Maring

ATTORNEY'S FEE SCHEDULE

The staff has discussed the advisability of preparing an Attorney's Fee Schedule to be used in cases where the office may be entitled to receive attorney's fees, for prevailing or for representation—Examples of these situation are as follows: Truth—in Lending cases; Odometer Tampering cases; civil rights and §1983 cases; Family Court cases; appointments in Juvenile Court; Social Security matters; worker's compensation. In some instances, the court or agency may have its own schedule and there does not seem to be a need. However, some Community Legal Services have found it useful, efficient and persuasive. See 19 Clearinghouse Review 607 (1985)

Setting the fee is not that simple, since a great deal depends on the expertise of the attorney or paralegal in a particular area of law. Expertise should be rewarded and inexperience should be noted. The schedule should also take into account the sliding fee schedule. Our sliding schedule tops out at \$60.00 per hour. Since a fair assumption can be made that every person who is eligible for our services is receiving reduced rate services, the fee schedule should not begin at an amount lower than \$60.

The following is my recommendation as to the fee range for attorneys and paralegals:

-Paralegals -without law school experience	\$25-35
-Paralegals -with law school experience (law students)	\$30-40
-Attorneys- with less than 2 years experience	\$60-70

-Attorneys - with 2-5 years experience \$70-90

-Attorneys - with 6-10 years experience \$95-125

-Attorneys - with more than 10 years experience \$130-175

Please note that this does not mean we should either pay these individuals based on the schedule or charge the public based on the schedule. If only reflects the likely rate that these people would bill at if they were employed in the private job market in the Twin Cities area.

In addition, note that for each category a range exists covering the years of experience. Please also note that the schedule does not take into account experience in a particular area of law. It is my belief that an individual that has practiced for 4 years or more in a particular area of law may be eligible for a 10% increase in their fee rate, for example, Susan's concentration in Immigration Law would be eligible for an increase, if the need arose. These increases can be noted by the Board. As a matter of policy, each individual employee should be given a fee rate to follow for each year of service. This will avoid haphazard decisions and inconsistent requests. Since each affidavit prepared in support of an application for attorney's fees is discoverable in subsequent requests, it becomes important for the attorney to be consistent and accurate. Therefore, Board action will not only legitimize the rate but will also assure consistent applications.

Respectfully Submitted,

Martin A. Diaz

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

The sliding fee schedule adopted by the Centro Legal, Inc. is based upon the following factors:

1. The maximum income level for eligibility of Legal Services Corporation funded programs is 125% of the poverty level, which is as follows:

MAXIMUM INCOME

Family Size	Net Weekly Income	Monthly	Yearly
1	\$106	\$ 449	\$ 5,388
2	\$141	\$ 593	\$ 7,113
3	\$175	\$ 736	\$ 8,838
4	\$209	\$ 880	\$10,563
5	\$243	\$1,024	\$12,288

The Centro Legal will provide free legal representation to those persons whose maximum net income falls below the poverty level (i.e., those whose income is on the lower left side of the fee schedule). Those whose maximum net income falls between 100 and 125% of the poverty guideline, and therefore eligible for legal representation by a Legal Services Corporation funded program, will be referred there. However, if the Legal Services funded program does not accept the case because it is not within its priorities or critical needs areas, then the Centro Legal will represent that person for a fee of \$10 per hour, (single persons would pay \$15/hr.). The fee for deportation hearings, visa processing, estate planning, and uncontested dissolutions is the top dollar amount. In the event that over ten hours of attorney time are expended in these cases, the hourly rate would be charged. Those persons whose maximum net income falls to the right side of the scale (e.g., a single person whose net income is more than \$312 per week) will be referred to the Attorney Referral Service.

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

Family Size

Minimum/Maximum Net Income Per Week

						70								
	\$ 0 86	\$86 106	\$106 141	\$141 175	\$175 209	\$209 243	\$243 278	\$278 312	\$312 346	\$346 380	\$380 414	\$414 458	\$458 492	\$492 526
1	165	\$100 * \$15 *	* \$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40		00				
2		\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40					
3			\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250				
4				\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40			
5					\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40		
6						\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40	
7							\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40	\$250 \$40
8								\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35	\$225 \$40
9									\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30	\$200 \$35
10										\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25	\$175 \$30
11	* F	ee for	deport	ation he	arings	vica	nrogosa	ing ca	+2+0		\$75 \$10	\$100 \$15	\$125 \$20	\$150 \$25

^{*} Fee for deportation hearings, visa processing, estate planning, uncontested dissolutions; if over 10 attorney hours spent, the respective hourly fee applies.

** Hourly fee.

+ = 00 uttorney fee; \$25 Administration fee, unless Mean eligible.

* = overincome - not eligible

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

7/21/86

Family Size	Α.	В	, c	D	E	F	G	н	I	J	к	L	W	
	\$0 \$110	\$111 \$148	\$149	\$187 \$225	\$226	\$265 \$301	\$302 \$340	\$341 \$379	\$380 \$418	\$419 \$457	\$458 \$496	\$497 \$535	\$536 \$574	
1	+	125 4 5	175 25	225 35	275 40	325 45	375 50	425 55	525 60	*	*	*	*	*
2	+	ç .+	125	175	225	275	325	375	425	525	*	*	*	*
3	+	+	+	125	175	225	275	325	375	425	525	*	*	*
4	+	+	+	+	125	175	225	275	325	375	425	525	*	*
5	+	+ .	+	+	+	125	175	225	275	325	375	425	525	*
6	+	· +	+	+	+	+	125	175	225	275	325	375	425	52!
7	+	+	+	+	+	+	+	125	175	225	275	325	375	42!
8	+	+	+	+	+	+	+	+	125	175	225	275	325	37!
9	+	+	+	+	+	+	+	+	+	125	175	225	275	325
LO	+	+	+	+	+	+	+	+	+	+	125	175	225	275
	1 1								5					1

* = over income - not eligible
for Sliding Fee

CENTRO LEGAL, INC.
SLIDING FEE SCHEDULE

Matin Carriel (80 %)

du referenci

FAMIL	Y SIZE	4 0	,,,										- et	1) ,_	
		A	В.	С	D .	E	F	G	H	I	. J	K .	L	M	N
	0	86	107	143	180	216	253	290	326	363	399	435	472	509	545
	85	106	142	179	215	252	289	325	362	398	434	471	508	544	582
1	+	75/10	150/20	225/25	300/35	375/40	450	*	*	*	*	*	*	*	*
2	+	+	75/10	150/20	225/25	301/35	375/40	450/50	*	*	*	*	*	*	*
3	+	+	+	75/10	150/20	225/25	306/35	375/	450/50	¥	¥	*	*	*	*
4	+	+	+	+	175/10	150/20	25/	300/	375/	450/50	*	+	*	*	*
5	+	+	+	+	+	75/10	150/20	252/	300/	375/40	459	*	¥	¥	*
6	+	+	+	+	+	+	75/10	150/20	225/	30/35	375/	450/50	*	*	*
٦	+	+	+	+	+	+	+	75/10	150/20	25/25	300/ /35	3751.	450/50	*	¥
8	+	+	+	+	+	+	+	+	75/10	150/20	552/52	300/35	375/40	400/90	*
9	+	+	+	+	+	+	+	+	+	75/10	120/20	225/25	300/35	375/40	450/50
10	+	+	+	+	+	+	+	+	+	+	75/10	150/20	25/25	300/	375/40
											*				
		1 3 N = 1													

over income - not eligible

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE 1927

EXHIBI "B"
(85%)

FAMILY SIZE	A	В.	С	D	E	F	G	н	I	J	K	L	м	N
	0	113	152	191	230	269	308	346	385	424	463	502	541	580
	112	151	190	229	268	307	3UE	204	423	462	501	540	579	618
1	+	150/20	700	259 /30	300/35	350/40	400/45	490/50	*	*	¥	¥	*	*
2	+	+	150/20	200/25	250/30	300/35	350/40	400/45	45950	*	*	*	*	*
3	+	+	+	120/50	20/25	250/30	30/35	350/40	400/45	450/50	*	*	*	*
4	+	+	+	+	150/20	200/25	520/20	300/35	350/40	400/45	450/50	¥	*	*
5	+	+	+	+	+	2/2	200/	210/30	300/35	350/40	400/4-	450/	¥	¥
6	+	+	+	+	+	+	By	52/002	220/30	30/35	350/40	400/4	450/2	+
7	+	+	+	+ :	+	+	+	120/20	500/25	250/30	500/35	350/40	400/45	450/
8	+	+	+	+	+	+	+	+	120/20	200/28	250/30	300/20	220/40	40/45
9	+	+	+	+	+	+	+	+	+	150/20	200/25	250/	300/2-	350/40
10	+	+	+	+	+	+	+	+	+	+	150/20	200/25	250/30	308/31-
												Laber	Land Land	
									4 3 4			eres	3 30	1

+ = No attorney Fee; \$25 Administration

over income - not eligible

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

EXHIPT "c"
(75%)

FAMIL	Y SIZE	A	В	С	D	E	F	G	н	I	J	K	L	,	N
		<u> </u>	1	1	1	ı	1	1		1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	1	1	-	1	1
	0	80	100	135	169	203	237	272	306	340	375	408	443	477	512
	79	99	134	168	202	236	271	305	339	374	407	442	476	511	545
١	+	75/10	150/20	225/25	300/35	375 /40	450/50	*	*	*	*	*	*	*	*
2	+	+	75/10	150 ks	225/25	300/35	375/40	450/5	*	*	¥	¥	*	*	¥
3	+	+	+	75/10	150/20	225/25	300/32	375/40	450/50	*	+	*	4	*	*
4	+	+	+	+	UE/10	150 ko	225/25	300/35	375 /40	450/50	4	*	*	*	*
5	+	+	+	+	+		150/20	125/25	30/35	375/40		¥	¥	¥	¥
6	+	+	+	+ -	+	+	75/10	150/20	225/25	300/35	375/40	450/50	¥	4	¥
7	+	+	+	+ **	+.	+	+	75/10	150/20	225/25	³⁰⁰ /35	375/40	450/50	¥	¥
8	+	+	+	+	+	+	+	+		150/20	225/25	30/35	375/40	450/50	¥
9	.+	+	+	+	+	+	+	+	+	75/10	150/20	225/25	300/35	375/40	450/50
10	+	+	+	+	+	+	+	+	+	+	75/10	120/20	225/25	300/35	375/40
														4672	<i>7</i> 5/ 1
	1	grade toda							,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						

1987 INCOME ELIGIBILITY GUIDELINES

125% 0	F FEI	DERAL POVER	TY GUIDEL	INES
	1A	NNUAL MON	THLY WEE	KLY
AMILY	SIZE	C		
	1	6,875	573	132
	2	9,250	771	178
	3	11,625	969	224
	4	14,000	1,167	269
	5	16,375	1,365	315
	6	18,750	1,563	361
	7	21,125	1,760	406
	8	23,500	1,958	452
	9	25,875	2,156	498
	10	28,250	2,354	543
	ADD	2,375	198	46
for e	each	additional	person i	n household
87.5%	of I	Tederal Pov	erty Guid	lelines

ANNUAL MONTHLY WEEKLY

AMILY SIZE

1	10,313	859	198
2	13,875	1,156	267
3	17,438	1,453	335
4	21,000	1,750	404
5	24,563	2,047	472
6	28,125	2,344	541
7	31,688	2,641	609
8	35,250	2,938	678
9	38,813	3,234	746
10	42,375	3,531	815
ADD	3,563	297	69

for each additional person in household FR 5341 2/20/87

+ = Yes \$25 Address of the state of the stat

* = over income - not eligible

for Sliding Fee

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

EXHIBIT "A"
(80%)

	Minimum	/	Maximum	Net	Income	Per	Week
--	---------	---	---------	-----	--------	-----	------

XF AMIX	y size							A.	tox of,					,	
sed win		A	В.	С	D .	E	F	G X	H	I	J.	. K	L	М	N
h &	0	86	107	143	180	216	253	290	326	363	399	435	472	509	545
1 h'8x	85	106	142	179	215	252	289	325	362	398	434	471	508	544	5-82
0 80	+	75/10		225	300/35	375/40	450	*	*	*	*	*	*	*	*
2	+	+	75/10	150/20	225/25	301/35	375/40	450/50	*	*	*	*	*	*	*
3	+	+	+	75/10	150/20	225/25	306/35	375/	450/90	¥	¥	*	*	*	*
4	+	+	+	+	75/10	150/20	25/22	300/	375/40	450/50	*	+	*	*	*
5	+	+	+	+	+	75/10	150/20	552/	300/	375/40	4501	*	¥	*	¥
6	+	+	+	+	+	+	75/10	150/20	225/	30/35	375/	450/50	*	*	*
٦	+	+	+	+	+	+	+	75/10	150/20	25/25	300/ /35	375/40	450/50	*	¥
8	+	+	+	+	+	+	+	+	75/10	150/20	552/52	300/35	375/40		*
9	+	+	+	+	+	+	+	+	+	75/10	150/20	225/25	36935	375/40	458/50
.10	+	+	+	+	+	+	+	+	+	+	75/10	150/20	225/25	300/	375/40
											*				

+ = No attorney For ; \$25 Admirit bration

* = over income - not eligible

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE EXHIBIT "B"
(85%)

FAMILY SIZE	A	В	С	D	E .	F	G	H	1	. J	. к	L	м	N
	0	113	152	191	230	269	308	346	385	424	463	502	541	580
	112	151	190	229	268	307	345	384	423	462	501	540	579	618
1	+	150/20	2000	259/30	300/35	350/40	400/45	450/50	*	¥	¥	*	*	*
2	. +	+	150/20	200/25	250/30	300/35	350/40	400/45	450	*	*	*	*	*
3	+	+	+	150/20	20/25	250/30	30/35	350/40	400/45	450/50	*	*	*	*
4	+	+	+	+	150/20	200/25	520/	300/35	350/40	400/45	450/50	+	*	*
5	+	+	+	+	+	2/2	200/25	210/30	300/35	350/40	400/4-	450/0	¥	¥
6	+	+	+	+	+	+	Med	52/002	220/30	30/35	350/40	400/4	450/2	+
7	+	+	+	+	+	+	+		200/25	250/30	35	550/40	400/45	450/50
8	+	+	+	+	+	+	+	+	10/20	200/28	250/30	300/20	350/40	40/45
9.	+	+	+	+	+	+	+	+	+	150/20	200/25	250/	300/2-	350/40
.10	+	+	+	+	+	+	+	+	+	+	150/20	200/25	250/30	308/31-

= No autorney Fee ; \$25 Administration

* = over income - not eligible

CENTRO LEGAL, INC. SLIDING FEE SCHEDULE

EXHIBIT "C" (75%)

FAMIL	Y SIZE	A	В.	С	D .	E	F	G	Н	1	. J	K	L	м	N
	0	80	100	135	169	203	237	272	306	340	375	408	443	477	512
	79	99	134	168	202	236	271	305	339	374	407	442	476	511	545
١	+	75/10	139/20		300/35		450/50	*	*	*	*	*	*	*	*
2_	+	+	75/10	150 ks	205/25	300/35	302/40		*	*	¥	¥	*	*	¥
3_	+	+	+	75/10	150 kg	225/25	300/35	375/40	450/50	*	+	*	4	*	*
4	+	+	+	+	75/10	150 ko	225/25	300/35	375 /40	450/50	4	*	*	*	*
5	+	+	+	+	+	75/10			30/35	375/40	450/50	*	¥	*	¥
6	+	+	+	+	+		75/10	150/20	225/25	300/35	375/40	450/50	¥	4	*
	+	+	+	+	+,	+		75/10		225/25		375/40	45950	¥	*
8	+	+	+	+	+	+	+	+		150/20	225/25	30/35	375/40	450/50	¥
9	.+	+	+	+	+	+	+	+	+	75/10	150/20	225/25	300/35	375/40	450/50
. 10	+	+	+	+	+	+	4	+	+	+	75/10		225/25	300/35	375/40
3	4										-				
The control of							New Till								

1937 INCOME ELIGIBILITY GUIDELINES 125% OF FEDERAL POVERTY GUIDELINES

	INA	NUAL M	ONTHLY	WEEKLY
AMILY	SIZE			
	1	6,875	57:	3 132
	2	9,250	77:	1 178
	3	11,625	969	9 224
	4	14,000	1,167	7 269
	5	16,375	1,36	5 315
	6	18,750	1,563	361
	7	21,125	1,760	406
	8	23,500	1,958	3 452
	9	25,875	2,156	498
	10	28,250	2,354	543
	ADD	2,375	198	3 46
-6			www.	

for each additional person in household 87.5% of Federal Poverty Guidelines

ANNUAL MONTHLY WEEKLY

AMILY SIZE

1	10,313	859	198
2	13,875	1,156	267
3	17,438	1,453	335
4	21,000	1,750	404
5	24,563	2,047	472
6	28,125	2,344	541
7	31,688	2,641	609
8	35,250	2,938	678
9	38,813	3,234	746
10	42,375	3,531	815
ADD	3,563	297	69

for each additional person in household 2 FR 5341 2/20/87

1989 ALLOCATION/EXPECTATIONS

AGENCY: CENTRO LEGAL

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

FINAL ASSESSMENT: SATISFACTORY

DISCUSSION/RATIONALE:

Outcomes, service levels and client demographics are being met. It appears that progress is being made on the agency's financial condition. The fund balance is still negative but improvements have been made.

1987 YEAR END PERFORMANCE DATA COMMENT:

The program meets outcome objectives and exceeds by 10 percent some civil legal service level results over 1986 (INS and family law services). The total number of clients served decreased by 55 clients compared to 1986.

EXPECTATIONS:

Due June 3, 1988

1. The 1986 audit questioned the financial stability of the agency. Please inform the panel of your proposed resolution of the agency deficit. - PROBLEM IS BEING ADDRESSED THROUGH: REDUCTION OF SUPPORT STAFF AND OTHER STEPS. ATTAINMENT OF FINANCIAL STABILITY STILL APPEARS UNCERTAIN.

ADDITIONAL QUESTIONS - RESPONSE DUE AUGUST 26, 1988

- Thank you for the May 31, 1988 financial statement. Please submit similar statements for the period ended June 30, 1988 and audited financial statements for the year ended December 31, 1987 as soon as they are available. MET AUDIT EXPECTED IN OCTOBER
- o Please submit 1st half (January 1 June 30, 1988) performance data to show progress towards meeting outcomes, service levels and client demographics. MET

1988 Allocation: \$30,016

1989 Request: \$30,916 Change: 3 % Dollar Change \$900

1989 Recommendation \$ 30,766 Change: 2.5% Dollar Change \$ 750

Funding Status: (Circle one) new, expand, replace, ongoing, reduce

Overall Funding Rationale:

o Amount conforms to United Way funding guidelines.

1989 Expectations: Due February 6, 1989.

- 1. Maintain program as described.
- 2. Please submit 1988 complete year performance report and client demographics.

STEP 4: FUNDING RECOMMENDATION: Completed by Program Liaison and Submitted to Staff at Team Funding Meeting

AGENCY: Centro Legal

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

FINAL PROGRAM ASSESSMENT: SATISFACTORY

DISCUSSION/RATIONALE:

o Evaluation status Level 1 is affirmed for this progam.

- o Program performance reports have been revised. Preliminary data indicates program is meeting outcome and service level objectives.
- o Program clients: 76% low income households (below \$10,000) 66% minority (45% hispanic).

1987 Allocation: \$29,213

1988 Request: \$45,000 Change: 54% Dollar Amount Change: \$15,787 1988 Recommendation: \$30,016 Change: 2.75% Dollar Amount Change: \$803

Funding Status: (Circle One) new, expand, replacement, maintain reduce Overall Funding Rationale: (tie to quality assessment, funding status,

2.75 percent increase to maintain this program according to Allocations quidelines for program assessment rating.

1988 Expectations Due February 12, 1988: (Tasks to be completed/issues to be resolved in 1988)

1. Maintain program operations as described.

and quantify how funds will be used):

 Please submit full year 1987 performance results on outcomes, service levels, and demographics.

POLICY ELEMENTS TO GUIDE BIENNIAL ALLOCATIONS AND PROGRAM REVIEW

Approved by PAE Division 1/15/88

- 1. A biennial process—approximately 50% of United Way funded programs will be assessed each year, and allocation decisions made for the assessed programs for a two year period.
- 2. All funded agencies will participate.
- 3. All programs at an agency will be reviewed at the same time. Exceptions will be made only for programs or agencies that require closer monitoring due to program instability or poor performance.
- 4. Panels have discretion to both deny second year funding and to require second year review for one or more problem programs.
- 5. The process will have the flexibility to respond to major changes in an agency that require rethinking and allocation.
- 6. The specific dollar amount of the second year allocation will be determined after the campaign goal for the second year has been approved by the Board of Directors. Once the goal has been set, a formula will be developed that establishes specific percentage increases to maintain second year programs.
- 7. Agencies may apply for new and expanded program funding only during years their programs are being assessed. Agencies may apply for Risk Funds or respond to Requests For Proposals at will.
- 8. During the biennial review, agencies will be expected to submit all the information currently submitted, and a modest additional amount of information about the proposed second year. Agencies will be expected to submit only minimal fiscal and program performance information during the interim year between full reviews.
- 9. The United Way would have the right to bring an agency back to the panel for a review of the previous decision if one or more agency programs became a problem. The agency would go back to its panel for a response and a recommendation of the second year funding for the program in question.

Step 1: EXPECTATIONS:

Completed by United Way Staff and

Approved by Volunteers

AGENCY: Centro Legal

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

1988 UNITED WAY ALLOCATIONS: \$ 30,016 % CHANGE FROM 1987: 2.75 %

TOTAL PROGRAM INCOME: \$ 86,971 UNITED WAY % OF TOTAL INCOME: 35 %

1987 YEAR END PERFORMANCE DATA COMMENT:

The program meets outcome objectives and exceeds by 10 percent some civil legal service level results over 1986 (INS and family law services). The total number of clients served decreased by 55 clients over 1986.

1988 EXPECTATIONS: (Tasks to be completed/issues to be resolved in 1988)

Due February 12, 1988

- Maintain program operations as described.
- Please submit full year 1987 performance results on outcomes, 2. service levels, and demographics. - met

Due June 3, 1988

The 1986 audit questioned the financial stability of the agency. 1. Please inform the panel of your proposed resolution of the agency deficit.

STEP 2: PROGRAM ASSESSMENT WORKSHEET: Completed by Volunteer Program Liaisons

AGE	ENCY:	
PRO	OGRAM:	
PRO	DBLEM(s)/PRIORITY:	
198	88 UNITED WAY ALLOCATION: \$ TOTAL PROGRAM	INCOME: \$
EVA	ALUATION STATUS:	
Α.	Written Materials Checklist - Review before doing site visit	Check After Revie s
	Step 1: Expectations 1987 Year End Program Performance Report(s) Program Description Relevant United Way Priority Problem Agency Profile 1988 Agency/Program Financial Summary 1988 Annual Program Budget Materials (Optional	=

Questions/Comments on the above checklist with special emphasis on Step 1 Expectations:

Agency Verbal and Written Response to Step 1 Expectations

			(Ci	rcle	One)
в.	Curr	rent Program Operations	Mee	ts ds.	More Info.
	a.	Services are operating as described.	Yes	No	?
	b.	Outreach is implemented as described.	Yes	No	?
	c.	The number of full-time equivalent staff is operating as described.	Yes	No	?

Discussion/Examples: (if "no" or "?", communicate immediately to United Way staff)

C. Program Performance

The Program Performance rating reflects volunteers' judgments about program performance based on Program Performance Reports, site visits, and other verbal and written communications with agencies. Three areas are reviewed: a) outcome objectives, b) service levels, and c) client demographics (which include high-risk target populations and impact on barriers to service). A rating of "S" or "Satisfactory" is the midpoint of a five-point quality assessment rating scale.

Rating Outcome and Service Level Objectives

Outcome and service level objectives should be realistic, set on the basis of factors such as prior program performance, staff size, similar programs, etc. A rating of "S" or "Satisfactory" is defined as meeting objectives plus or minus 10 percent.

Rating	Definition
E (Exceptional)	The program exceeds all or most of the described objectives. Objectives which are achieved but not exceeded are very few in number and do not detract from the overall outstanding performance of the program.
G (Good)	The program meets all, and exceeds some of the described objectives. Objectives which are exceeded are significant and clearly demonstrate performance above Satisfactory.
S (Satisfactory)	The program meets the described objectives. The program may exceed a few objectives, but overall it is operating at expected levels.
F (Fair)	The program fails to meet one or more of the described objectives. The program is operating at Satisfactory in some areas, but has at least one important shortfall to address. A plan is in place to achieve a rating of Satisfactory or better within an agreed upon time period (usually one year or less.)
W (Weak)	The program fails to meet one or more of the described objectives. The program either has problems which are so significant that achievement of a satisfactory rating within a reasonable time period is doubtful, or it was rated below Satisfactory in the prior evaluation and has not made adequate progress toward resolution of the issue.

Please circle the performance rating you believe most closely approximates your assessment.

Weak Fair factory Good Exceptional

1. Outcome Objective

Stated outcome objectives W F S G E
have been met.

Discussion/Examples: (For example, list outcome objectives that have not been met or have been exceeded; list outcome objectives goals that have been under or over projected.)

2. Service Level

Stated service levels have W F S G E been met.

Discussion/Examples: (e.g. How do service levels appear to justify program expenditures?)

3. Client Demographics

Client Demographics combine two issues: target populations and barriers to services. Percentages for the following definitions refer to the unduplicated percent of total program clients who are members of at least one of the target population groups identified in the United Way Priority Problem Descriptions. Please circle the rating you believe most closely approximates your assessment.

Rating	<u>Definition</u>
E (Exceptional)	At least 85% of the clients are "target populations" identified in the United way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.
G (Good)	60-84% of program clients are "target populations" identified in the United Way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.

S (Satisfactory)

51-59% of program clients are "target populations" identified in the United way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.

F (Fair)

Less than 50% of program clients are "target populations" identified in the United Way Priority Problem Description. A plan is in place to increase the number of "target population" clients within a reasonable length of time (usually one year or less).

W (Weak)

Less than 50% of program clients are "target populations" identified in the United way Priority Problem Description. A plan is not in place which will increase the number of "target population" clients within a reasonable length of time.

Discussion/Examples:

D. Overall Program Performance Rating

An overall program rating is made by combining the rating from each of the three separate program areas: a) outcome objectives, b) service level objectives, and c) client demographics. In computing the overall program rating, these three areas are weighted equally unless a compelling rationale can be made otherwise.

Weak	Fair	Satisfactory	Good	Exceptional
Discussion/Con	ments:			

STEP 3: MIDCYCLE REPORT

AGENCY: CENTRO LEGAL

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

MIDCYCLE ASSESSMENT: NO RATING

DISCUSSION/COMMENTS:

It appears that much of the agency's efforts this year have focused on identifying and developing a plan to correct the agency's financial problems. It is unclear if, and to what extent, this focus has affected the agency's ability to deliver services and whether program objectives are being met. Also the team is concerned that although we've been told that funding will be secured from other funding sources, we have not seen written confirmation from the proposed funding sources.

1987 YEAR END PERFORMANCE DATA COMMENT:

The program meets outcome objectives and exceeds by 10 percent some civil legal service level results over 1986 (INS and family law services). The total number of clients served decreased by 55 clients compared to 1986.

EXPECTATIONS DUE:

Due February 12, 1988

1. Maintain program operations as described. - IN PROCESS

Due June 3, 1988

1. The 1986 audit questioned the financial stability of the agency. Please inform the panel of your proposed resolution of the agency deficit. - PROBLEM IS BEING ADDRESSED THROUGH: REDUCTION OF SUPPORT STAFF AND OTHER STEPS. ATTAINMENT OF FINANCIAL STABILITY STILL APPEARS UNCERTAIN.

ADDITIONAL QUESTIONS - RESPONSE DUE AUGUST 26, 1988

- o Thank you for the May 31, 1988 financial statement. Please submit similar statements for the period ended June 30, 1988 and audited financial statements for the year ended December 31, 1987 as soon as they are available.
- o Please submit 1st half (January 1 June 30, 1988) performance data to show progress towards meeting outcomes, service levels and client demographics.

STEP 3: MIDCYCLE REPORT

AGENCY: CENTRO LEGAL

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

MIDCYCLE ASSESSMENT: NO RATING

DISCUSSION/COMMENTS:

It appears that much of the agency's efforts this year have focused on identifying and developing a plan to correct the agency's financial problems. It is unclear if, and to what extent, this focus has affected the agency's ability to deliver services and whether program objectives are being met. Also the team is concerned that although we've been told that funding will be secured from other funding sources, we have not seen written confirmation from the proposed funding sources.

1987 YEAR END PERFORMANCE DATA COMMENT:

The program meets outcome objectives and exceeds by 10 percent some civil legal service level results over 1986 (INS and family law services). The total number of clients served decreased by 55 clients compared to 1986.

EXPECTATIONS DUE:

Due February 12, 1988

1. Maintain program operations as described. - IN PROCESS

Due June 3, 1988

 The 1986 audit questioned the financial stability of the agency. Please inform the panel of your proposed resolution of the agency deficit. - PROBLEM IS BEING ADDRESSED THROUGH: REDUCTION OF SUP-PORT STAFF AND OTHER STEPS. ATTAINMENT OF FINANCIAL STABILITY STILL APPEARS UNCERTAIN.

ADDITIONAL QUESTIONS - RESPONSE DUE AUGUST 26, 1988

- o Thank you for the May 31, 1988 financial statement. Please submit similar statements for the period ended June 30, 1988 and audited financial statements for the year ended December 31, 1987 as soon as they are available.
- o Please submit 1st half (January 1 June 30, 1988) performance data to show progress towards meeting outcomes, service levels and client demographics.

ALLOCATIONS PANEL X - TEAM B ROSTER AND ASSIGNMENTS <u>Panel Staff:</u> Joanna Buzek (340-7425)

Panel Chair Toni Green	2105 Humboldt Avenue So.	55405	941-9055
Panel Vice Chair Thomas Collins	Fairview Deaconess Hospital 1400 East 24th Street	55404	721-9335
Accountant Mark Lund, CPA	TCF-Controllers Dept. 801 Marquette Avenue	55402	370-7944
Team Leader Mark Lund, CPA	TCF-Controllers Dept. 801 Marquette Avenue	55402	370-7944
Program Liaisons Catherine Isaacson	Coopers and Lybrand 1000 TCF Tower	55402	370-9555
Al Longstreet	H.B. Fuller Co. 3200 LaBore Road, Vandnais H	55110 eights	481-3727
Mariana Shulstad	U.S. Dept. of Interior 19026 Carsonwood Avenue, Dee		725-3540
Alaine Will	College of Bilogical Science 123 Snyder Hall, U of M 1475 Gortner Avenue, St. Pau	55108	624-2244

Agency/Program Assignments

The state of the s		
Legal Rights Center -Hispanic Program -Juvenile Justice	Alaine Will Alaine Will	Marianna Shulstad Marianna Shulstad
Centro Legal -Proyecto Justicia	Alaine Will	Al Longstreet
International Institute of Mir		
-Casework -English As A Second Language	Catherine Isaacson	Al Longstreet Al Longstreet

STEP 2: PROGRAM ASSESSMENT WORKSHEET: Completed by Volunteer Program Liaisons

AGENCY:	
PROGRAM:	
PROBLEM(s)/PRIORITY:	
1989 UNITED WAY ALLOCATION: \$ TOTAL PROGRAM INCOME	: \$
EVALUATION STATUS:	
A. <u>Written Materials Checklist</u> - Review before doing site visits	Check After Review
Step 1: Expectations 1988 Year End Program Performance Report(s) Program Description Relevant United Way Priority Problem Agency Profile 1989 Agency/Program Financial Summary 1989 Annual Program Budget Materials (Optional): Questions/Comments on the above checklist with special Step 1 Expectations:	al emphasis on
Agency Verbal and Written Response to Step 1 Expect	tations
B. <u>Current Program Operations</u>	(Circle One) Need Meets More Stds. Info.
a. Services are operating as described.	Yes No ?

Discussion/Examples: (if "no" or "?", communicate immediately to United Way staff)

b. Outreach is implemented as described.

is operating as described.

c. The number of full-time equivalent staff

C. Program Performance

The Program Performance rating reflects volunteers' judgments about program performance based on Program Performance Reports, site visits, and other verbal and written communications with agencies. Three areas are reviewed: a)

No

No

?

Yes

Yes

Period Material

1.) What on 1989

3.)

outcome objectives, b) service levels, and c) client demographics (which include high-risk target populations and impact on barriers to service). A rating of "S" or "Satisfactory" is the midpoint of a five-point quality assessment rating scale.

Rating Outcome and Service Level Objectives

Outcome and service level objectives should be realistic, set on the basis of factors such as prior program performance, staff size, similar programs, etc. A rating of "S" or "Satisfactory" is defined as meeting objectives plus or minus 10 percent.

minus to percent.	
Rating	Definition
E (Exceptional)	The program exceeds all or most of the described objectives. Objectives which are achieved but not exceeded are very few in number and do not detract from the overall outstanding performance of the program.
G (Good)	The program meets all, and exceeds some of the described objectives. Objectives which are exceeded are significant and clearly demonstrate performance above Satisfactory.
S (Satisfactory)	The *program meets the described objectives. The program may exceed a few objectives, but overall it is operating at expected levels.
F (Fair)	The program fails to meet one or more of the described objectives. The program is operating at Satisfactory in some areas, but has at least one important shortfall to address. A plan is in place to achieve a rating of Satisfactory or better within an agreed upon time period (usually one year or less.)
W (Weak)	The program fails to meet one or more of the described objectives. The program either has problems which are so significant that achievement of a satisfactory rating within a reasonable time period is doubtful, or it was rated below Satisfactory in the prior evalua-

tion of the issue.

tion and has not made adequate progress toward resolu-

Please circle the performance rating you believe most closely approximates your assessment.

SatisWeak Fair factory Good Exceptional

1. Outcome Objective

Stated outcome objectives W F S G E have been met.

Discussion/Examples: (For example, list outcome objectives that have not been met or have been exceeded; list outcome objectives goals that have been under or over projected.)

2. Service Level

Stated service levels have \mbox{W} \mbox{F} \mbox{S} \mbox{G} \mbox{E} been met.

Discussion/Examples: (e.g. How do service levels appear to justify program expenditures?)

Definition

3. Client Demographics

Client Demographics combine two issues: target populations and barriers to services. Percentages for the following definitions refer to the unduplicated percent of total program clients who are members of at least one of the target population groups identified in the United Way Priority Problem Descriptions. Please circle the rating you believe most closely approximates your assessment.

Rating	Definition
E (Exceptional)	At least 85% of the clients are "target populations" identified in the United way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.
G (Good)	60-84% of program clients are "target populations" identified in the United Way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.
S (Satisfactory)	51-59% of program clients are "target populations" identified in the United way Priority Problem Description and the program demonstrates impact on "barriers to service" listed in that Description.

F (Fair)

Less than 50% of program clients are "target populations" identified in the United Way Priority Problem Description. A plan is in place to increase the number of "target population" clients within a reasonable length of time (usually one year or less).

W (Weak)

Less than 50% of program clients are "target populations" identified in the United way Priority Problem Description. A plan is not in place which will increase the number of "target population" clients within a reasonable length of time.

Discussion/Examples:

D. Overall Program Performance Rating

An overall program rating is made by combining the rating from each of the three separate program areas: a) outcome objectives, b) service level objectives, and c) client demographics. In computing the overall program rating, these three areas are weighted equally unless a compelling rationale can be made otherwise.

Weak _	Fair	Satisfactory	Good	Exceptional
Discussion/Co	mments.			

IV. - 1988 Program Performance Report Jan.-Dec., 1988

United	Way	Use	Only
*Agency			,
*Progra			
*****			*****

PART A: PROGRAM OUTCOMES

AGENCY NAME: Centro Legal, PROGRAM NAME: Proyecto Just		TTED:2/6/89	(d)
PROGRAM YEAR: MONTH 1 YE		YEAR 89	
OUTCOME OBJECTIVES	PERFORMANCE MEASURES	ACCOMPLISH 1988 # (% & #)	MENTS/RESULTS 1987 # (% & #)
1. To increase the likelihood hat the targeted populations ill have a reasonable resolu- ion of their legal problem.	A. Of 238 clients receiving direct representation 90% will be carried to completion. Outcomes assessed using set of written criteria.	279/95%	214/908
To increase the likelihood nat the target populations at the target populations all have a basic comprehension legal resources available arough the use of community egal education seminars.	A. Effectiveness of community legal education efforts will be measured by monitoring requests in the community and by other organizations for "duplicate" presentations or written legal information brochures.	500 Brochure	4 Seminars s 500 Brochures
	B. Of 120 people attending a legal education seminar, 20% will seek legal assistance or referral to an alternate legal provider. Determined by use of sign up sheets, cross-referenced with client intal process.	n	24/20%
	1) Is this really on effective measure?		
	APPENDIX 1		

Submit 8 copies to United Way by February 6, 1989.

IV. - 1988 Program Performance Report Jan-Dec, 1988

United	Way	Use	Only
*Agency			
*Progra			
*****			*****

PART B: SERVICE LEVELS

AGENCY NAME: Centro Legal, Inc.		
PROGRAM NAME: Proyecto Justicia		
PROGRAM YEAR: MONTH 1 YEAR 89	TO MONTH 12	YEAR 89
1988 SERVICE LEVEL OBJECTIVES	LEVEL OF P 1988 (# and U	PROGRAM SERVICE PROVIDED 1987 (# and Unit)
Immigration:		28 1 - 1 - 1
Immediate Relative Legalization Deportation- Immed. Relati Preference Petition Naturalization INS - General Suspension of Deportation Asylum General Residentcy Temporary Visa Deportation Bond Case Farm Worker Legalization	30 66 2 1 4 43) 1 5 2 1 22	24/10 16/6 1/.4 3/1 3/1 13/5 2/.8 6/2 1/.4 5/2 11/4
Total	177/	1/.4 63.5% 87/36%
Petitioner Dissolution Respondent Dissolution Petitioner Custody Respondent Custody Petitioner Support Respondent Support Paternity Visitation OFP Miscellaneous Family Total	23 10 4 1 1 4 3 7 10 8 71/2	25/10 12/5 8/3 5/2 4/1 4/1 6/2 1/.4 9/3
7		

Submit 8 copies to United Way by February 6, 1989.

IV. - 1988 Program Performance Report Jan-Dec, 1988

United 1	Way	Use	Only
*Agency	Cod	le '	,
*Prograi			
*****	***	***	****

PART B: SERVICE LEVELS

OGRAM NAME: Proyecto Justicia		1.16
OGRAM YEAR: MONTH 1 YEAR 89 TO	MONTH 12 YEAR	89
88 SERVICE LEVEL OBJECTIVES	LEVEL OF PROGRAM 1988 (# and Unit)	SERVICE PROVIDED 1987 (# and Unit)
Housing -		
Rental Problems	5	9/3
Evictions	1	1/.4
Other Housing	3	4/1
Total	9/3%	14/5
Corresponde Describe		
Government Benefits	3/1%	3/1
Consumer	6/2%	13/5
Employment	4/1.5%	3/1
Other	9/3%	13/5
Community Education	200 people	86 people
	2.34	

, v		12 177
		*1
		1 5a
	0.8	

Submit $\underline{8}$ copies to United Way by February 6, 1989.

DRAFT,

CENTRO LEGAL, INC Program Review Summary

I. GUIDELINES/CONCERNS:

The agency mission has not been updated since 1985. It needs to be reexamined in light of changes taking place in the agency.

Except for the Community Education program, the target population is well defined, problem statements are specific, and services are not available in any significant manner elsewhere, especially for family cases. Measures of results are in place for two programs and the client evaluation survey, which is sent at the close of the case, has been redesigned.

The number of clients has increased. Word of mouth and community education may be generating more clients than are manageable. Greater utilization of computer resources makes it possible to obtain better information.

The Community Education program contains no measurable results and appears, because of the expanded use of radio and cable TV promotion, to generate organizational recognition as much as providing legal community education.

The current director has taken significant steps to improve management and is acting on the recommendations of an independent study done by a management consultant. The agency is making an honest and substantial effort to turn things around, but we need to monitor to see that financial controls are adequate and in place.

II. PROGRAM: Family and Other Law

Target Population:

Limited English speaking Hispanics; low to middle income.

Results/Outcomes:

Reasonable resolution of family and general legal problems.

Primary Program Result Area:

Reduce the incidence and damaging effects of intra-family abuse and neglect.

Current United Way Funding: \$ 3,708 1989 United Way Request: \$ 3,819 % of Program Income: 14.23 % of Program Income: 41.9

PROGRAM: Immigration Law

Target Population:

Limited English speaking Hispanics; low to middle income.

Results/Outcomes:

Reasonable resolution of immigration and legalization legal problems.

Centro Legal, Inc. Program Review Summary Page 2

> Primary Program Result Area: Facilitate resettlement of refugees and dislocated persons.

Current United Way Funding: \$ 14,298 1989 United Way Request: \$ 15,162 % of Program Income: 14.4 % of Program Income: 42.8

PROGRAM: Community Education

Target Population: Limited English speaking Hispanics; low to middle income.

Results/Outcomes:
Basic comprehension of legal resources available in the community.

Primary Program Result Area: Facilitate resettlement of refugees and dislocated persons.

Current United Way Funding: \$ 3,708 1989 United Way Request: \$ 3,819 % of Program Income: 14.2 % of Program Income: 41.9

III. ITEMS FOR FALL CONFERENCE: September 15, 1988 1:00 - 1:45 PM

- Community Education: Please discuss and provide examples of the content of the seminars, TV and radio programs, and newspaper articles. What are the implications for the agency if United Way shifted its funding of the Community Education Program into the Family Law and/or Immigration Law programs? Note: The intent is not to reduce overall United Way funding into the agency.
- 2. Please review progress in reducing the agency's obligation to IRS for back taxes and the origin of the funds to pay this obligation.
- 3. The Review Committee finds it necessary to receive the agency audit before a final commitment of United Way funds for 1989 is made. This means an absolute deadline of November 11, 1988 for receipt of audit. Can the agency meet this deadline?
- 4. What are the executive director's plans for continued employment with this agency?

STEP 3: MIDCYCLE REPORT

AGENCY: CENTRO LEGAL

PROGRAM: Projecto Justicia - Legal Services

PROBLEM(s)/PRIORITY: Discrimination

EVALUATION STATUS: Level 1

MIDCYCLE ASSESSMENT: NO RATING

DISCUSSION/COMMENTS:

It appears that much of the agency's efforts this year have focused on identifying and developing a plan to correct the agency's financial problems. It is unclear if, and to what extent, this focus has affected the agency's ability to deliver services and whether program objectives are being met. Also the team is concerned that although we've been told that funding will be secured from other funding sources, we have not seen written confirmation from the proposed funding sources.

1987 YEAR END PERFORMANCE DATA COMMENT:

The program meets outcome objectives and exceeds by 10 percent some civil legal service level results over 1986 (INS and family law services). The total number of clients served decreased by 55 clients compared to 1986.

EXPECTATIONS DUE:

Due February 12, 1988

Maintain program operations as described. - IN PROCESS

Due June 3, 1988

 The 1986 audit questioned the financial stability of the agency. Please inform the panel of your proposed resolution of the agency deficit. - PROBLEM IS BEING ADDRESSED THROUGH: REDUCTION OF SUP-PORT STAFF AND OTHER STEPS. ATTAINMENT OF FINANCIAL STABILITY STILL APPEARS UNCERTAIN.

ADDITIONAL QUESTIONS - RESPONSE DUE AUGUST 26, 1988

- o Thank you for the May 31, 1988 financial statement. Please submit similar statements for the period ended June 30, 1988 and audited financial statements for the year ended December 31, 1987 as soon as they are available.
- o Please submit 1st half (January 1 June 30, 1988) performance data to show progress towards meeting outcomes, service levels and client demographics.

825-5503 CENTRO LEGAL, INC. BOARD OF DIRECTORS

1988

Olivia Arredondo P.O. Box 6533 Minneapolis, Mn. 55406 (612) 870-4559 (H) Term Expires 11/90

Thomas J. Barrett, Esq. Popham, Haik, Schnobrich, Kaufman, & Doty, Ltd. 3300 Piper Jaffery Tower 222 South Ninth Street Minneapolis, Mn. 55402 (612) 333-4800 (W) Term Expires (11/88

Irene Gomez-Bethke 4649 Decatur Ave. No. New Hope, Mn. (612) 537-0469 (H) Term Expires 11/88

Reverand Sunthi Paul C. 2718 Bryant Ave. No. Minneapolis, Mn. 55411 (612) 588-1604 (H) (612) 374-4139 (W) Term Expires 11/89

Albert Garcia Jr. 2815 James Ave. No. Minneapolis, Mn. 55411 (612) 529-5154 (H) (612) 588-9330 (W)-Contro Legal Inc. Term Expires 11/89

Miguel Garza Neighborhood Justice Center 464 South Robert St. St. Paul, Mn. 55107 (612) 227-8497 (W) Term Expires 11/89

Douglas Hall, Esq. Legal Rights Center 808 E. Franklin Ave. Minneapolis, Mn. 55404 (612) 871-4886 (W) Term Expires 11/89

Steve Hoffmeyer, Esq. MN Human Rights Dept. 500 Bremer Tower 7th Place & MN Streets St. Paul, Mn. 55101 (612) 296-9058 (W) Term Expires 11/90

Wesley Iijima, Esq. MN Human Rights Dept. 500 Bremer Tower 7th Place & MN Streets St. Paul, Mn. (612) 296-5667 (W) Term Expires 11/88

Olivia Mancha 284 E. Morton St. Paul, Mn. 55107 (612) 224-2301 (W) Term Expires 11/90

Carlos Mariani-Rosa MN Council Of Churches 122 West Franklin Ave. Minneapolis, Mn. (612) 870-3605 (W) Term Expires 11/90

CENTRO LEGAL, INC. ATTENDANCE RECORD BOARD OF DIRECTORS

	/1-8	7 /4-8	7-9	7-2	3/8-1	9/9-3	3/	
OLIVIA ARREDONDO	A		A	A	(A			
THOMAS BARRETT	A		A		iA			1
IRENE GOMEZ-BETHKE					3-37		H	1
REVERAND SUNTHI PAUL C.		A	A_	A				T
ALBERT GARCIA JR.			A	A	A			1
MIGUEL GARZA	A				A			
DOUGLAS HALL	A	A	A	A	A			
81 STEVE HOFFMEYER		1 7-1	F 117					1
WESLEY IIJIMA	A	A	1		A			-
JUAN LOPEZ			E 15					+
₽ GUADALUPE LUNA			RESIG	NED	100			_
CARLOS MARIANI-ROSA	17897		A		A		7	

Post-it™routing request pad 7664 **ROUTING - REQUEST** Please To Ivene: This READ HANDLE APPROVE Approximation of the atterdance FORWARD RETURN RECIRD. KEEP OR DISCARD OFF VE: 7-9 But I REVIEW WITH ME don't think so. Date 8/26 From

HWEC-

PROBLEM STATEMENT

During 1986, Centro Legal experienced limited growth in the area of personnel in order to staff our Minneapolis office. At the time of the planning and staffing, management was fairly confident of its ability to secure the necessary financial support for this action. This confidence was due to the fact that we had recently gained funding from the Minneapolis United Way, plus we were already receiving some funds from the Minneapolis Community Action Agency (M.C.A.A.). Over a period of time we felt that continued support from M.C.A.A., with the growing support of the Minneapolis United Way would be sufficient. This revenue would allow us to completely finance our operations in Minneapolis and reduce our dependency on private sector contributions.

Meanwhile, our operations in St. Paul seemed to be stabilizing. We had managed to secure purchase of service contracts with the MN. Supreme Court and the Lawyers Trust Account Board. In addition, our request for support from the St. Paul United Way had been approved. With these funding sources and our ability to raise a limited amount of revenue from the private sector, we felt that our controlled growth would be financially secure.

Our long range plan was to increase the level of revenue that we received from stable funding sources (i.e., United Way, etc.), on an annual basis. This would allow us to reduce the amount of revenue from the private sector for operational support. We felt that by reducing our dependency on "Soft Monies", it would allow us to use Foundation support for special project funding when necessary. Unfortunately, the scenario that we anticipated for financial support did not come about.

The Minneapolis Community Action Agency decided to change their priorities with respect to legal services and as a result we lost their support. Our attempts to increase our funding base from the United Ways and service contracts were not successful. Our limited programmatic services prevented us from gaining expanded program dollars. This limited us to the usual 2 - 3% annual increase of our base allocation. Using this formula it would take us a number of years to generate enough revenue to attain financial stability. Added to these developments was the negative response from the private sector to some of our grant requests for operational support.

Over the past years some major Foundations have decided to refocus their emphasis from operational support to special project support. As a result the number of grants that they make for program support has increased thereby reducing the grants made for general operational support. They have been less likely to respond favorably towards those organizations that have been funded in the past. When grants for operational support have been made, their preference has been to fund new grantees. Our misfortune has been that we have been unable to make the transition with our grant requests rapidly enough.

These developments regarding funding allocation priorities has put a strain on our financial stability. this limited private sector support has created a cash shortage that has turned into cash flow problems. These cash flow problems while manageable at the present, may over a period of time have an impact on our future fund raising capabilities.

RECOMMENDED OBJECTIVES

Given the financial problems that had been identified, the Finance Committee recommended the use of an outside Financial Consultant. The consultant would review the internal organizational structure, the program services provided and current sources of revenue. Upon completion of this review, the consultant would draft a report to the Board outlining recommended action.

On the recommendation by the Finance Committee, the Board of Directors passed a resolution authorizing the use of a Financial Consultant. This action was taken by the Board at their meeting held on October 17, 1987. Along with this resolution, the Board outlined the following objectives for the Financial Consultant.

Objective #1: To review the current operational structure to determine whether it is consistent with the stated goals & objectives.

Objective #2: To review the current sources of revenue and identify alternative sources where appropriate.

Upon completion of the operational review by the consultant, a detailed report was to be drafted and sent to the Board for disposition. The Board of Directors have agreed to seriously consider the recommendations proposed, and where necessary adopt correlate action.

PROPOSED WORK PLAN

The recommended process will include an organization and financial assessment followed with a management and financial plan of action.

Part #1: Thorough examination of current operations including written material, internal and external communications, and staff interview.

Part #2: Information gathering and analysis related to current and potential funding sources, and community needs. Interviews with key board members and funders would be included if appropriate.

Part #3: A written report summarizing findings, conclusions and specific recommendations related to funding and budget levels. Also included would be specific recommendations on an organizational structure that would increase productivity and efficiency of all staff involved with Centro Legal.

Considering the size of the organization, it has been proposed that the organization and financial assessments can be accomplished in three to five days. The management and financial plan can be prepared in five days. The report and recommendations, will take five days to complete and be ready to present in four - six weeks from the time the process begins.

PROPOSED BUDGET

We are requesting a grant from The Saint Paul Foundation - Management Improvement Fund in the amount of \$5,000. This grant if approved will be used to purchase the services of a Financial Consultant during 1988.

Attachment #1 Project Budget
Attachment #2 1988 Operational Budget
Attachment #3 1936 Financial Audit
Attachment #4 I.R.S. Ruling

Centro Legal will spend the funds solely for the purposes stated in the application, and make such reports as are required by the Foundation.

Centro Legal realizes that any payment of funds granted, should that occur, will be at the convenience of the Foundation, including modification of previously agreed upon payment schedules should such modification be deemed necessary by the Foundation.

Centro Legal understands that the Foundation, in researching this grant application, may if it deems appropriate, review any and all of the information submitted as part of this request with advisers of the Foundations's choosing.

Manufactured from the formation of the second of the secon

CENTRO LEGAL, INC. PROJECT BUDGET 1988

EXPENSES

Part #1 Operational Review 2.5 days x \$500.	\$ 1,250.
Part #2 Information Gathering 2.5 days x \$500.	1,250.
Part #3 Report & Recommendations 5 days x \$500.	2,500.
Total	\$ 5,000.

CENTRO LEGAL, INC. OPERATIONAL BUDGET 1988

Revenue:

Contributions	6 47 440	
United Way (MPLS/STP)	\$ 47,449	
Lawyers Mrust Assessed	51,730).
Lawyers Trust Account	25,000).
MN Supreme Court	13,500	
Dept. of Corrections		
S.M.R.L.S., INC.	48,800	
S.M.R.L.SI.L.P.	13,000	
CENUDO-I I D	11,000).
CENTRO-I.L.P.	37,575	
Attorney Fees	12,000	
I.C. Fees	521A** 12.00 CO	
Atty Fee Awards	2,600	
Misc. Income	1,000	
MISC. Income	1,550	١.
TOTAL	\$265,204	
	5.60	

Expenses:

Salaries	\$ 137,250.
P/R Taxes	13,634.
Employee Benefits	12,016.
Professional Fees	
Audit Services	2,100.
Supplies	4,800.
Tele-Local	3,840.
Tele-L.D.	8,778.
Postage	3,947.
Occupancy	2,819.
Insurance	14,244.
	1,507.
Professional Liability	3,639.
Printing	1,579.
Transportation	2,557.
Training	
Subscriptions	3,475.
Updates	830.
Law Library	4,020.
Org. Dues	719.
Awards	150.
Equipment Purchase	
Equipment Maintenance	3,000.
Equipment Parts	3,700.
Equipment Rental	550.
Depreciation	

Miscellaneous Expenses
Bank Charges
Interest Expenses
Staff Develop.
Administrative
Advertisement
Consultants
87 Liabilities

TOTALS

600.
2,000.
1,900.
600.
3,850.
100.
1,000.
26,000. +26,000.
\$ 265,204.

describer of the

As nonprofits sail into a shifting wind

By Kathryn S. Keeley and Tony Wagner

Nonprofit corporations are in trouble and need to change in order to survive. Executive directors are demoralized by barriers that complicate their efforts to manage and secure funding for nonprofit corporations. A crisis lurks in the future if we do not begin to think differently about nonprofits.

Fundamental changes in the economy are prompting many institutions to restructure. But there is little such activity within the nonorofit sector. Nonprofits seem to be reacting rather than initiating.

Nonprofit organizations face five parriers which could contribute to our demise or ineffectiveness:

- The first barrier is the nonprofit system of governance through a board of directors. Under the old charitable laws, nonprofit boards were composed of community members who had a personal stake in the agency. Today's boards represent either constituent groups without access to money or corporate representatives with access to resources but with limited exposure to the group's constituency. In neither instance do they have the needed commitment, expertise or accountability. An explosion of rules has changed the qualifications needed to lead nonprofits. But executives are left with a dysfunctional system; the board retains power, but often does not have the information to make wise decisions.
- The second barrier concerns current funding patterns. Historically, start-up monies came from foundations and corporations; ongoing support came from government and the United Way. This description no longer applies to most nonprofits. Government cutbacks, changes in corporate funding patterns and the stagnation of United Way funding limit the dollars available.

Further, government and foundations are seeking ideas and funding from each other. The nonprofit, though closest to the community, is often not consulted. This weakens the role of the nonprofit in articulating and meeting community needs and estranges the nonprofit from the funder.

■ The recent change in the sources of ongoing support is the third barrier we face. Nonprofits are now expected to be self-suffi-

cient and yet serve a poor population that cannot afford to pay for services. Self-sufficiency used to mean persuading government or the United Way to support the organization. Today, self-sufficiency means earned-income ventures such as charging fees, running businesses or managing other flucrative activities that often are not part of the organization's original mission. Some executives eventually find themselves more interested in making money than in fulfilling the agency's mission.

- As nonprofits adjust to the new meaning of self-sufficiency, a fourth barrier arises: the cry of unfair competition by small businesses. This concern was high on a list of priorities at the last White House Conference on Small Businesses. Many are understandably upset about nonprofits' attempts to generate income through ventures unrelated to their mission while still claiming tax advantages. This objection comes at a time when nonprofits are being pushed to achieve self-sufficiency.
- The fifth barrier is the proliferation of nonprofits. Organizations rarely merge; they lack the legal structure necessary to offer joint programming. Businesses can create subsidiaries; no such mechanism exists within the nonprofit mentality or legal system. Therefore, our options are limited and the few joint activities that are launched often become mired in management and control disputes.

And nonprofits rarely go out of business. It is as if we believe we should exist forever. Some nonprofits change their missions with the times, but others stay the same — using valuable resources in a system that rewards longevity rather than fulfillment of a clear need. Is it really possible for all of us to remain in business?

Our comments are intended to be a call for thoughtful discussion about the structure and roles of nonprofits. We believe an organization such as Spring Hill, Wellspring, or the Citizens League should take on these issues and invite the community to advance creative solutions. The nonprofit sector is important to our economy; we need community action if we are to survive.

Kathryn S. Keeley is president of the Women's Economic Development Corporation. Tony Wagner is executive director of Pillsbury United Neighborhood Services.

ALLOCATIONS PANEL C - TEAM 3 ROSTER AND ASSIGNMENTS Panel Staff: Joanna Buzek (340-7425)

Panel Chair			
Charles T. Roehrick	Cray Research, Inc. 1100 Northstar West 608 2nd Avenue South	55402	334-6531
711 Ol. 1	*		
<u>Vice Chair</u> Toni Green	United Negro College, Inc. Norwest Midland Building	55401	338-5742
	401 2nd Avenue South - Suite	532	
Team Leader			
Mark Lund, CPA	TCF-Banking and Savings 801 Marquette Avenue	55402	370-7944
Accountant			
John Wedin, CPA	OPUS US Corporation *5527 Lindsay Street, Golden	55422 Valley	936-4601
<u>Program Liaisons</u> Melissa Marks	Clothes Line	55404	822-3212
Melissa Marks	242 West Franklin, Apt 207	33404	022 022
Andrea Nielsen	*4160 Orchid Lane No. Plymouth	55446	340-7932
Mariana R. Shulstad	U.S. Dept. of Interior *19026 Carsonwood Avenue, De	55391 ephaven	725-3540
Alaine L. Will	College of Bilogical Science 123 Snyder Hall, U of M 1475 Gortner Avenue, St. Pau		626-1616

Agency/Program Assignments

<u>Legal Rights Center</u> -Hispanic Program -Juvenile Justice	Melissa Marks Marianna Shulstad	Andrea Nielsen John Wedin		
<u>Centro Legal</u> -Proyecto Justicia	Marianna Shulstad	Alaine Will		
International Institute of Mir-Casework -English As A Second Language	Mark Lund	Alaine Will Andrea Nielsen		

Centro Legal, Inc. A NON-PROFIT COMMUNITY LAW OFFICE



CENTRO LEGAL, INC.

INTRODUCTION:

Centro Legal, Inc. was incorporated as a non-profit community law office in August, 1981. The impetus for the creation of Centro Legal was primarily in response to the federal cuts in legal services programs nationwide. Centro Legal was originally created to address the needs of Hispanics in Ramsey County; however, it soon became apparent that there was a definite need for similar services in Hennepin County. To provide legal representation to the Hispanic community of Hennepin County, Centro Legal opened a Minneapolis office in April, 1983.

Since its inception Centro Legal has represented clients from the Hispanic and lower income communities in their efforts to obtain viable access to the judicial system in areas of importance to them. Centro Legal fulfills an important and unique role in the provision of legal services to the Hispanic population. Every person on Centro Legal's staff is bilingual and familiar with Hispanic culture. Centro Legal is the only law office in the State of Minnesota providing a wide range of civil legal services to the Hispanic population.

It is important to note that our services are not available elsewhere. I am proud to say that Centro Legal's representation has made a real difference in the lives of our clients and their respective families. Centro Legal is currently a streamlined, efficient, and financially viable organization. The Chief Legal Officer handles a sizeable caseload as well as administrative responsibilities. In addition, Centro Legal's staff is comprised of two attorneys, a paralegal, and one full time and one half time secretary. Centro Legal's Minneapolis and St. Paul Office

operate with a minimal support staff. It is my hope that computerization and skillful use of volunteers will allow Centro Legal's staff to continue to maintain a high caseload.

Our Minneapolis and St. Paul offices engage in legal work that directly, and dramatically, impacts on the lives of our clients. Centro Legal is comprised of three core projects, specifically, Proyecto Ayuda, the Immigration Legalization Project, and Proyecto Justicia (further subdivided as Justicia-St. Paul and Justicia-Minneapolis). A brief description of each of the projects follows:

Proyecto Ayuda was created in October, 1987 in response to a request from the Department of Corrections (DOC). The overall goal of the project is to develop a strategy that will address the legal and nonlegal needs of Hispanic battered women. The project was designed to ameliorate traditional legal barriers due to the lack of bilingual, culturally sensitive attorneys. Proyecto Ayuda clients receive immediate representation at the Order for and follow through with divorce Protection stage, proceedings, custody actions and other appropriate legal remedies. We work to implement solutions to the problems faced by battered women. We thoroughly address those areas in which we have expertise and refer clients to appropriate agencies as necessary. Amaya Maura, a paralegal on staff with Centro Legal, plays an integral role in the efficient working of the project.

2. Immigration Legalization Project: This project began in May, 1987 to address the legal needs of the beneficiaries of the 1986 Immigration Reform and Control Act (IRCA), commonly known as "amnesty". The project has been immensely successful; thanks to the project, hundreds of amnesty petitions filed by Centro Legal on behalf of clients were successfullyapproved. Centro Legal's efforts in this area, earned it the respect of its clients, the immigration bar, and the Immigration and Naturalization Service. Funding for the project will end in May, 1990.

Proyecto Justicia is a project that seeks to breakdown traditional legal barriers that impede meaningful access to the legal system. These barriers include immigration status, expense of legal representation, discrimination, and language and cultural differences. Clients are represented in issues relating to immigration law, family law, housing law and government benefits. Proyecto Justicia's work in the area of family law often brings emotional relief and financial stability to families in turmoil. Our work in Immigration law has helped many individuals fulfill their dream of leading productive, stable lives in the United States. Additionally, we have helped reunite families; obtained employment authorization for individuals, allowing them to provide their families with a decent standard of living and escape economic exploitation; obtained political asylum for individuals fleeing persecution; and generally, provided high quality legal representation in the area of Immigration law to our clients.

FUNDING REQUESTS FOR 1990 AND 1991.

In May of 1990, funding for Centro Legal's Immigration Legalization Project (ILP) will end. Phillips G. Gonzalez is Centro Legal's ILP attorney. Once funding for this position ends there is a very real possibility that Centro Legal will be reduced to a two attorney law office. requesting that the respective United Ways of Minneapolis and St. Paul expand funding of Proyecto Justicia in order to allow Mr. Gonzalez to become part of Proyecto Justicia and continue his valuable work with Centro Legal. Since ILP funding ends in May, 1990 we are asking the Minneapolis and St. Paul United Ways to respectively fund a 0.3 FTE attorney position. This will allow Centro Legal to expand its Proyecto Justicia program to meet the needs of its clients. Our funding request for 1991, is for each of the United Ways to respectively fund a 0.5 FTE attorney position to do Proyecto Justicia casework.

The Department of Corrections currently has discretionary funds that Centro Legal can bid for. I plan to submit a request for sufficient funding to cover the comprehensive costs of a full time attorney, paralegal and secretarial position. Our application is due by September 18, 1989. Should the bid be successful, much needed time will be secured for the Chief Legal Officer to engage in active fund raising.

The demand for our services greatly exceeds our capacity to take cases. Due to our limited staff, we are forced to turn away clients with meritorious legal cases. This is a painful process for us, and painful, if not actually injurious, to the clients who are turned away due to our lack of resources. Unfortunately, when Centro Legal turns away a

prospective client, there is very little probability that alternate legal representation will be found.

The Hispanic community is the largest growing minority group in the State of Minnesota. Limited English language skills, cultural and financial barriers all interconnect to deprive many Hispanics of meaningful access to our judicial and administrative systems. Centro Legal is committed to providing access to the legal system to all of our clients. However, our capacity to accept new cases is directly related to our ability to fund attorney positions. Core support from the funding community will allow Centro Legal to meet client needs with services, rather than rejection.

CONCLUSION

Centro Legal is a small organization. Our staff works very hard and they take great pride in their work. Our clients often find themselves in stressful situations (divorce, custody disputes, pending deportation, etc.) Consequently, it is imperative that our agency project an image of stability.

In April of this year, Martin Diaz, Esq., the former Chief Legal Officer and Michael Davis, a Proyecto Justicia attorney, left their respective positions with Centro Legal to obtain employment in other states. In order to insure continued stability Centro Legal must be able to adequately fund its programs to allow attorneys to maintain realistic and manageable caseloads.

Our agency, with the crucial support of its Board of Directors, has accomplished a great deal given its limited staff and resources. Centro Legal is currently in a position to realize its enormous potential. We will ask the funding

community to acknowledge the excellent work we have done in recent past to insure fiscal integrity along with quality legal representation by funding Centro Legal, Inc., at a level that will permit us to expand our services to our client base during the years to come.

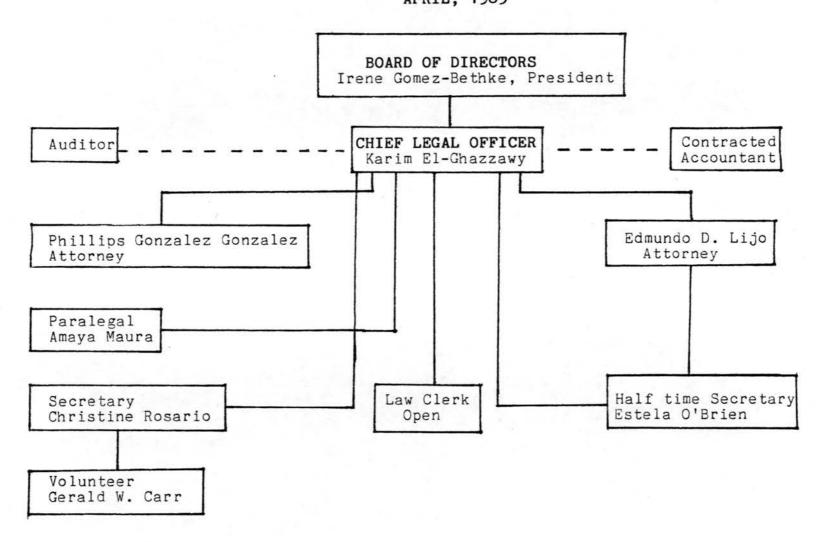
1989 , April

FULL TIME EQUIVALENT

BY PROJECT AND STAFF MEMBER

Karim El-Chazzawy (CLO):	.15 .30 .40	FTE FTE FTE FTE	Mpls., Justicia St. Paul, Justicia Ayuda Admin.	1.0	FTE	
Edmundo Lijo (Attorney)	.50 .50	FTE FTE	Mpls., Justicia St. Paul, Justicia	1.0	FTE	
Phillips Gonzales (ILP Atty.)	1.00	FTE	ILP	1.0	FTE	
Amaya Maura (Paralegal)	1.00	FTE	Ayuda	1.0	FTE	
Christine Rosario (Secretary)	.20 .20 .50	FTE FTE FTE	Mpls., Justicia St. Paul, Justicia Ayuda Admin.	1.0	FTE	
Estela O'Brien (Temporary Secretary)	.25 .25	FTE FTE	Mpls., Justicia St. Paul, Justicia		FTE	ETTE
				Total	5.50	FTE

CENTRO LEGAL, INC.
ORGANIZATIONAL CHART
APRIL, 1989



It is a great honor for me topresent to you our fact

Speaker. In introducing Jose Zalaquett, I present
to you a man who at all times has
championed Human Rights. He is a lawyer, is
chair of the Chilean Section of Amnesty
International and former chair of the International
Executive Committee of Amnesty International.

A professor of law and practicing lawyer
Jose Zalaquett was twice imprisioned
with out charge and then expelled from
his native Chire after advocating for
Human Rights and providing legal
assistance to thousands of political
prisoners: He lived in exile for more

Than a decade and continues working for Human Rights worldwide.

Jose,
We welcome you here as a true friend. We are honored to have you with us. It is a privilege to call upon you at this moment. Ladies and gentlemen, Jose 2 alaquett.

Thank you, please accept this token of appreciation

Greeting Damas & Cabelleros, Bien Benidos-It is my privilege to greet you and to extend a warm welcome to ourjassentro legal, Annual Meeting.

We take encouragement and inspiration from your presence here and do indeed bid you welcome.

Closing Remarks. I will conclude by withing Godspud to all of you. But first I want to thank the Chairperson of the annual Program Committee Angelita sprojeted and planned to bring about this annual muting. and all theretus mand and may I close this meeting with words which in many languages, in many religions have brought comfort and strengthe. May the peace of God, which publish all undustanding, with us and remain with us always. Vallya Con Dios.

COURT RULES

RULE 4.4 Respect for Rights of Third Persons

In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person.

COMMENT

Responsibility to a client requires a lawyer to subordinate the interests of others to those of the client, but that responsibility does not imply that a lawyer may disregard the rights of third persons. It is impractical to catalogue all such rights, but they include legal restrictions on methods of obtaining evidence from third persons.

LAW FIRMS AND ASSOCIATIONS

RULE 5.1 Responsibilities of a Partner or Supervisory Lewyer...

- (a) A partner in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct.
- (b) A lawyer having direct supervisory authority over another lawyer shall make reasonable efforts to ensure that the other lawyer conforms to the Rules of Professional Conduct.
- (c) A lawyer shall be responsible for another lawyer's violation of the Rules of Professional Conduct if:
 - the lawyer orders or, with knowledge of specific conduct, ratifies the conduct involved; or
 - (2) the lawyer is a partner in the law firm in which the other lawyer practices, or has direct supervisory authority over the other lawyer, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

COMMENT:

Paragraphs (a) and (b) refer to lawyers who have supervisory authority over the professional work of a firm or legal department of a government agency. This includes members of a partnership and the shareholders in a law firm organized as a professional corporation; lawyers having supervisory authority in the law department of an enterprise or government agency; and lawyers who have intermediate managerial responsibilities in a firm.

The measures required to fulfill the responsibility prescribed in paragraphs (a) and (b) can depend on the firm's structure and the nature of its practice. In a small firm, informal supervision and occasional admonition ordinarily might be sufficient. In a large firm, or in practice situations in which intensely difficult ethical problems frequently arise, more elaborate procedures may be necessary. Some firms, for example, have a procedure whereby junior lawyers can make confidential referral of ethical problems directly to a designated senior partner or special committee. See Rule 5.2. Firms, whether large or small, may also rely on continuing legal education in professional ethics. In any event, the ethical atmosphere of a firm can influence the conduct of all its members and a lawyer having authority over the work of another may not assume that the subordinate lawyer will inevitably conform to the Rules.

Paragraph (c)(1) expresses a general principle of responsibility for acts of another. See also Rule 8.4(a).

Paragraph (cX2) defines the duty of a lawyer having direct supervisory authority over performance of specific legal work by another lawyer. Whether a lawyer has such supervisory authority in particular circumstances is a question of fact. Partners of a

COURT RULES

private firm have at least indirect responsibility for all work being done by the firm, while a partner in charge of a particular matter ordinarily has direct authority over other firm lawyers engaged in the matter. Appropriate remedial action by a partner would depend on the immediacy of the partner's involvement and the seriousness of the misconduct. The supervisor is required to intervene to prevent avoidable consequences of misconduct if the supervisor knows that the misconduct occurred. Thus, if a supervising lawyer knows that a subordinate misrepresented a matter to an opposing party in negotiation, the supervisor as well as the subordinate has a duty to correct the resulting misapprehension.

Professional misconduct by a lawyer under supervision could reveal a violation of paragraph (b) on the part of the supervisory lawyer even though it does not entail a violation of paragraph (c) because there was not direction, ratification or knowledge of the violation.

Apart from this Rule and Rule 8.4(a), a lawyer does not have disciplinary liability for the conduct of a partner, associate or subordinate. Whether a lawyer might be liable civilly or criminally for another lawyer's conduct is a question of law beyond the scope of these Rules.

RULE 5.2 Responsibilities of a Subordinate Lawyer

- (a) A lawyer is bound by the Rules of Professional Conduct notwithstanding that the lawyer acted at the direction of another person.
- (b) A subordinate lawyer does not violate the Rules of Professional Conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.

COMMENT:

Although a lawyer is not relieved of responsibility for a violation by the fact that the lawyer acted at the direction of a supervisor, that fact may be relevant in determining whether a lawyer had the knowledge required to render conduct a violation of the Rules. For example, if a subordinate filed a frivolous pleading at the direction of a supervisor, the subordinate would not be guilty of a professional violation unless the subordinate knew of the document's frivolous character.

When lawyers in a supervisor-subordinate relationship encounter a matter involving professional judgment as to ethical duty, the supervisor may assume responsibility for making the judgment. Otherwise a consistent course of action or position could not be taken. If the question can reasonably be answered only one way, the duty of both lawyers is clear and they are equally responsible for fulfilling it. However, if the question is reasonably arguable, someone has to decide upon the course of action. That authority ordinarily reposes in the supervisor, and subordinate may be guided accordingly. For example, if a question arises whether the interests of two clients conflict under Rule 1.7, the supervisor's reasonable resolution of the question should protect the subordinate professionally if the resolution is subsequently challenged.

RULE 5.3 Responsibilities Regarding Nonlawyer Assistants

With respect to a nonlawyer employed or retained by or associated with a lawyers

- (a) -A partner in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer;
- (b) A lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; and
- (c) A lawyer shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if:

substantial methods of

sts of others lawyer may h rights, but persons.

ure that the in the firm

e shall make a Rules of

the Rules of

ratifies the

ther lawyer, aces can be action.

ity over the This includes professional nent of an managerial

raphs (a) and a small firm, icient. In a eal problems a firms, for a referral of see. See Rule aducation in affluence the another may

s of another.

ory authority vyer has such Partners of a

COURT RULES

- the lawyer orders or, with the knowledge of the specific conduct, ratifles the conduct lavolved; or
- (2) the lawyer is a partner in the law firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but falls to take reasonable remedial action.

COMMENT:

Lawyers generally employ assistants in their practice, including secretaries, investigators, law student interns, and paraprofessionals. Such assistants, whether employees or independent contractors, act for the lawyer in rendition of the lawyer's professional services. A lawyer should give such assistants appropriate instruction and supervision concerning the ethical aspects of their employment, particularly regarding the obligation not to disclose information relating to representation of the client, and should be responsible for their work product. The measures employed in supervising nonlawyers should take account of the fact that they do not have legal training and are not subject to professional discipline.

RULE 5.4 Professional Independence of a Lawyer

- (a) A lawyer or law firm shall not share legal fees with a nonlawyer, except that:
 - an agreement by a lawyer with the lawyer's firm, partner, or associate
 may provide for the payment of money, over a reasonable period of
 time after the lawyer's death, to the lawyer's estate or to one or more
 specified persons;
 - (2) a lawyer who undertakes to complete unfinished legal business of a deceased lawyer may pay to the estate of the deceased lawyer the proportion of the total compensation which fairly represents the services rendered by the deceased lawyer; and
 - (3) a lawyer or law firm may include nonlawyer employees in a compensation or retirement plan, even though the plan is based in whole or in part on a profit-sharing arrangement.
- (b) A lawyer shall not form a pertnership with a nonlawyer if any of the activities of the pertnership consist of the practice of law-
- (c) A lawyer shall not permit a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services.
- (d) A lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if:
 - a nonlawyer owns any interest therein, except that a fiduciary representative of the estate of a lawyer may hold the stock or interest of a lawyer for a reasonable time during administration;
 - (2) a nonlawyer is a corporate director or officer thereof; or
 - (3) a nonlawyer has the right to direct or control the professional judgment of a lawyer.

COMMENT:

The provisions of this Rule express traditional limitations on sharing fees. These limitations are to protect the lawyer's professional independence of judgment. Where someone other than the client pays the lawyer's fee or salary, or recommends employment of the lawyer, the arrangement does not modify the lawyer's obligation to the client. As stated in paragraph (c), such arrangements should not interfere with the lawyer's professional judgment.

Proyecto Ayuda 2929 S. 4th Ave., Suite M Minneapolis, MN 55408 A Division of Centro Legal, Inc. Non-Profit Organization

Proyecto Ayuda

Legal Services for Battered Women



Centro Legal, Inc.

2929 S. 4th Ave., Suite M Minneapolis, MN 55408

825-7829

1-800-245-5753

A Divison of Centro Legal, Inc.

AFFIRMATIVE ACTION
CITY HALL -COURTHOUSE
3: "th Street
-is, MN 55415
arry Blackwell

Proyecto Ayuda

Servicios Legales Para Mujeres Maltratadas



Centro Legal, Inc.

2929 S. 4th Ave., Suite M Minneapolis, MN 55408

> 825-7829 1-800-245-5753

A Divison of Centro Legal, Inc.

Orden de Proteccion

Que es una Orden de Proteccion?

Una Orden de Protección es una orden dada por la corte para proteger a Ud. contra el abuso doméstico. Esta Orden exige que la persona que abusa de Ud.:

- a. pare de amenazarla o de abusarala;
- b. se vaya de su hogar;
- c. no vaya a molestarla a su hogar, ni a su colegio, o su trabaio;
- d. continue manteniendola a Ud. y a sus niños si es requerido legalmente;
- e. entrar en un programa de ayuda.

Una Orden de Protección también puede concederle custodia provisional de sus hijos y establecer una horario para visitas.

Quien Puede Obtener una Orden de Protección? Usted puede obtener una Orden de Protección si ha sido victima recientemente de una violencia doméstica. La violencia doméstica está definida como cualquiér acto de abuso, incluyendo los empujones, las cachetadas, los puños, los jalones de pelo, las patadas, forzar actos sexuales, o amenazarla con un arma. Usted es elegible por una Orden de Protección si usted y la persona que la ha abusado:

- a. son casados o fueron casados en algun tiempo;
- b. vive bajo el mismo techo suyo, o solia vivir con Ud.;
- c. tienen un hijo en común;
- d. son parientes consanguineos.

Bajo ciertas circumstancias distintas a las mencionadas, Ud. también puede obtener una Orden de Protección en favor de su hijo si el o ella ha sido abusado fisicamente o sexualmente.

Que Sucede si una Orden de Protección es Violada?

Si la persona que abusó de Ud. la ataca, la amenaza, o viola la orden de mantenerse alejado de Ud., llame a la policía (911) inmediatamente. En algunos casos es necesario arrestar a la persona.

Si la persona se niega a obedecer cualquiér otra parte de la orden - por ejemplo, se niega a darle dinero para mantener los ninos, no va a las clases de ayuda, la molesta por medio del telefono, o no obedece el horario destinado a las visitas de los ninos - el Proyecto Ayuda puede ayudarla a enviar su caso a la corte de nuevo.

En Donde se Obtiene una Orden de Protección? Para asistencia en obtener una Orden de Protección, o más información al respecto, llame al:

Centro Legal, Inc. (612) 825-7829

Order for Protection

What is an Order for Protection?

An Order for Protection (OFP) is an order the court makes to protect you from domestic abuse. It may direct the person who has abused you to:

- a. stop threatening or abusing you;
- b. leave your household;
- stay away from where you live, go to school, or work;
- d. pay support to you and your children if legally required to do so;
- e. enter a counseling program.

An OFP may also award you temporary custody of your children and set up conditions for visitation.

Who is eligible for an Order for Protection?

You may file an OFP if you have recently been a victim of domestic violence. Domestic violence is defined as any act of abuse, including pushing, shoving, grabbing, slapping, punching, pulling hair, kicking, forcing sexual acts, or threatening with a weapon. You are eligible for an OFP if you and the person who has abused you:

- a. are married, or used to be married
- b. live together, or used to live together
- c. have a child in common
- d. are related by blood.

Under certain conditions, you may also file an OFP on behalf of your child if she or he has been physically or sexually abused.

What happens if an Order for Protection is violated?

If the abuser assaults you, threatens you, or violates the order to stay away from you, call the police (911) immediately. In some cases, they are required to make an arrest.

If the abuser doesn't follow another part of the order—for example, doesn't pay child support, doesn't attend counseling, harrasses you by phone, or doesn't abide by the child visitation order—the Women's Coalition can help you bring the case back to court.

Where to go to get an Order for Protection

For assistance in obtaining an OFP, or further information, call:

Centro Legal, Inc. (612) 825-7829

December 12, 1985

Donn J. Vargas Executive Director Centro Legal, Inc. 179 E. Robie St. Paul, MN 55107

Dear Donn:

I am writing as a follow up to the meeting this afternoon with your Finance Committee. Upon final approval by your board, I will need the following things to facilitate the computerization of your accounting records:

- A check in the amount of \$300.00 made out to The Software Library (I will forward the receipt when the software is delivered).
- 2. Your revised 1986 budget
- Any additional line items you may want to add to your chart of accounts.

I would also like to request an increase in my bookkeeping fee effective January 1, 1986 from \$125 to \$150.

I am currently working an average of 15 hours per month (15 hours @ \$10 per hour) on Centro Legal's books. This increase in hours is due in part to my additional reponsibilities in reporting to LSAC, IOLTA and MCAA; the increase in the number of employees and the increase in the number of checks written per month.

Should you need any additional information, please feel free to contact me.

Thanks.

Sincerely,

Debbie King

I am proposing that Centro Legal, Inc. change from a manual bookkeeping system to a computerized system.

Proposed Software

The software package is called The Trustee. The Trustee is sold by the Software Library, Brooklyn Park - 566-4212. Cost \$595.00

Reports provided by the Trustee (son example):

- General Ledger An itemized list of all accounts, i.e. assets, liabilities, revenue and expenditures and the activity for the month
- Receipt Register A list of all revenue received each month grouped by date of deposit
- Receipt List A list of all revenue received each month
- Check Register A list of all checks written for the month grouped by check amount
- Payment list A list of all checks written for the month
- Journel entry list A list of all general journal entries for the month
- Balance Sheet A balance sheet showing the final monthly balance of all accounts
- General Fund Budget Worksheet A statement of Revenue and Expenses in the following format:

Last Year's Actual Budget Year-to-date Amt Next Years Budget

- Statement of Income and Expenses - A statement of Revenue and expenses for the month in the following format:

Current Month Annual
Budget Amount % Budget YTD Amount % Budget Balance

Centro Legal Cost

Purchase price of The Trustee is \$300. (The Software Library is offering the Trustee to me a $\frac{1}{2}$ the cost because I have two agencies currently using the Trustee).

There will be no increase in my bookkeeping fee (other that the usual cost of living increases).

Advantages

- 1. I am currently providing Centro Legal with a Monthly Balance Sheet and a Statement of Revenue and Expenses. For the same monthly fee of \$125.00, I can provide Centro Legal with all nine reports listed previously.
- These additional reports will provide to be valuable for budgeting, auditing and provide the Executive Director and the Board with the monthly detail needed to make financial decisions.
- 3. The Trustee Software remains the property of Centro Legal, Inc. This is a one time charge to Centro Legal. If the Software Library makes any changes or updates the software, I will assume the cost of updating the package.
- There will be no change in the way in which Centro Legal now handles its monthly transactions or reporting to me.



EDMUNDO D. LIJO Attorney at Law PHILLIPS F. GONZALEZ GONZALEZ Attorney at Law 2929 4TH AVE. SO. SUITE L MINNEAPOLIS, MN 55408 (612) 825-5503

> KARIM EL-GHAZZAWY Chief Legal Officer AMAYA MAURA Paralegal

Reply to: Mpls. Office

June 19, 1990

Irene Gomez-Bethke, President 4649 Decatur Avenue North New Hope, Minnesota 55428

Re: Centro Legal, Inc.

Dear Irene:

Enclosed please find a copy of my June 18th, 1990 letter to John Hemmesch, of Computerland. I have discussed the computer purchase with Artie Martinez. It is my hope that Computerland will accept our offer and that computerization of our Minneapolis and St. Paul offices may proceed forthwith.

I have also enclosed a copy of Angelita Velasco's letter of resignation dated June 29th, 1990.

I have yet to hear from Tom regarding his availability for our upcoming Executive and Finance Committee Meetings. I would like to meet at least ten days before our full Board meeting on July 19th, 1990 in Minneapolis. A copy of the Notice of said meeting is enclosed.

Please feel free to contact me should you have any questions.

Sincerely,

Karim El-Ghazzawy Attorney at Law

KEG/cr

Encl.



MEMO

To: Irene Gomez-Bethke, President Arturo Martinez, Secretary Thomas Barrett, Treasurer

From: Karim El-Ghazzawy, Centro Legal

RE: Computer purchase for Centro Legal

Date: June 21, 1990

We have just received Computerland's revised proposal. As you can see from the attached copy, the total cost including a one year service contract is \$ 15,231. I am going to propose that Computerland include an extra computer (Macintosh Plus) in their current proposal for a total cost of \$ 15,000. We have received a respectable counter-offer from Computerland, I intend to finalize a purchase in the very near future. I do not intend to go above the \$15,000 allocation we have received from the St. Paul United Way.

Please contact me should you have any comments or concerns.

ComputerLand

Business to business. Person to person. June 21 1990

Karim El-Ghazzaway Centro Legal, Inc 2929 4th Avenue South, Suite L Minneapolis, MN 55408

Karim,

Below are the revised prices. This would be the best that I could do for you. The training is an important issue to look at, this is a piece that I am not able to discount. For the software I would recommend at least 1 copy at each location, unfortunately I am not able to absorb the cost of additional copies. Also, the Macintosh warranty is for one year (carry in), this would be a cost effective solution insted of the on site warranty.

Quantity	Description	Your Price	Extended
3	Macintosh SE/20, 1.44mb/W std keyboard	\$2,044.00	\$6,132.00
1	Macintosh SE 2/40, 1.44mb/W std keyboard	\$2,308.00	\$2,308.00
2	LaserWriter II SC	\$1,909.00	\$3,818.00
1	ImageWriter II/cable	\$439.00	\$439.00
7	Phone net connectors	\$35.00	\$245.00
2	Microsoft Word	\$265.00	\$530.00
2	FileMaker	\$200.00	\$400.00
4	AnswerPac (free helpline)	. NC	
4 hours	On site set-up of the equipment and software	\$100.00	\$100.00
4	Introduction to Macintosh training	\$100.00	\$400.00
1	Quicken V 1.5 check writing software	\$45.00	\$45.00
4	Grey cover for SE's	\$15.00	\$60.00
4	Mouse pads	NC	
			\$14,916.00
	One year on site warranty		
3	Mac SE/20	\$60.00	\$180.00 ←
. 1	Mac SE 2/40	\$67.00	\$67.00
2	LaserWriter II SC	\$56.00	\$56.00
1	ImageWriter II	\$12.00	\$12.00
	A		\$315.00

Sincerely,

1.0 Met



EDMUNDO D. LIJO Attorney at Law PHILLIPS F. GONZALEZ GONZALEZ Attorney at Law

June 18, 1990

MINNEAPOLIS, MN 55408 (612) 825-5503

2929 4TH AVE. SO. SUITE L

KARIM EL-GHAZZAWY Chief Legal Officer AMAYA MAURA Paralegal

Mr. John Hemmesch Sales Representative Computerland 222 Roanoke Building 109 South 7th Street Minneapolis, MN. 55402

Dear John:

We have reviewed your proposal dated June 11, 1990 and have informally presented it to the Board of Directors of Centro Legal, Inc. The Board is still hesitant because your proposal as it stands would deplete our entire allotment for the computerization of Centro Legal for the year. This in effect would leave us with no "cushion" for additional software, upgrades, etc..

In hopes of arriving at a price and configuration which will satisfy our Board of Directors, we are attaching a modification to your original proposal. Please look over the proposal and let us know of your decision so that we may once again present it to the Board and hopefully finalize our negotiation.

We are eager to have this system installed in our offices in the near future and are likewise looking forward to working with you.

Sincerely,

Karim El-Ghazzawy Chief Legal Officer

Encl.



UNIT	DESCRIPTION	PRICE	EXTENDED
3	Macintosh SE/20, 1.44mb Standard Keyboard included	\$2,000.00	\$6,000.00
1	Macintosh SE 2/40, 1.44mb Standard Keyboard included	\$2,250.00	\$2,250.00
2	LaserWriter II SC (and Cables)	\$1,979.00	\$3,958.00
1	Imagewriter II (and Cables)	\$437.00	\$437.00
7	Phone net Connectors	\$35.00	\$245.00
1	Microsoft Word	\$265.00	\$265.00
1	Microsoft Word	No Charge	
1	Filemaker	\$200.00	\$200.00
1	Filemaker	No Charge	
1.	Quicken V 1.5 Check Wrting	\$45.00	\$45.00
4	AnswerPac (free helpline)	No Charge	
4	Dust Covers	No Charge	
4	Mouse Pads	No Charge	
4	Introduction to Mac Training	\$75.00	\$300.00
4	On Site Set up Equip & Software	\$75.00	\$300.00
	One Year on site Warranty	No Charge	
	TOTAL		\$14,000.00



EDMUNDO D. LIJO Attorney at Law PHILLIPS F. GONZALEZ GONZALEZ Attorney at Law

June 12, 1990

2929 4TH AVE. SO. SUITE I MINNEAPOLIS, MN 55408 (612) 825-5503

> KARIM EL-GHAZZAWY Chief Legal Officer AMAYA MALIRA Paralegal

Ms. Irene Gomez-Bethke 4649 Decatur Ave. No. New Hope, MN. 55428

Dear Ms. Gomez-Bethke:

Karim has asked me to draft this letter in order to keep the Board Members of Centro Legal updated with regard to our efforts in aquiring a new computer system to automate the Minneapolis and St. Paul offices. I have subdivided this letter in an effort to outline the particular system which we are contemplating and the results we hope to achieve from its implementation.

1. The System

The system is composed of 4 Macintosh SE's one of which will be equipped with a 40 mb hard disk, and three others with 20 mb hard disks. This configuration will allow us to centralize and backup all information such as legal forms (pleadings, motions, affidavits, etc), letters, payroll, accounting, client billing, fundraising, on the larger system which will be located in the Minneapolis office. The other computers will function as work stations which will allow point of entry access for day to day office operation.

(a) Productivity

We believe this system will increase productivity and efficiency because paralegals, secretaries, law clerks will be able to produce a higher quantity



EDMUNDO D. LIJO Attorney at Law PHILLIPS F. GONZALEZ GONZALEZ Attorney at Law 2929 4TH AVE. SO. SUITE L MINNEAPOLIS, MN 55408 (612) 825-5503

> KARIM EL-GHAZZAWY Chief Legal Officer AMAYA MAURA Paralegal

of work product by using various programs which standardize legal formats. This in turn will free up the staff and thus increase our ability to take on more cases.

(b) Client Billing

The Macintosh system will allow us to implement an effective client billing system. Client billing is essential since we operate on a sliding fee scale format. Through the use of *Microsoft Word* and its Mail Merge command, we will be able to set up form letters for new billings and for past due accounts. This system can print out over 50 billing letters in less than 3 hours. A task which now occupies a vast amount of time and valuable resources.

(c) Accounting and Payroll

The Macintosh system and accompanying software, can provide Centro Legal with an effective and centralized accounting system. This system can track income and expenses in hundreds of categories all of which are essential in providing fast and accurate accountability to our sponsor's. Likewise, the system can track payroll expenses, deduct applicable Federal and State taxes and print out the corresponding payroll check.

(d) Client Tracking / Case Accountability

By use of a database such as *Filemaker*, Centro Legal will be able to track cases on an ongoing basis. This system is cable of generating useful reports which could provide us with fast and reliable information as to: number of clients, gender, race, origin, legal problem, income, etc.. all of which will be very effective in projecting Centro Legal's needs for the future.





EDMUNDO D. LIJO Attorney at Law PHILLIPS F. GONZALEZ GONZALEZ Attorney at Law 2929 4TH AVE. SO. SUITE L MINNEAPOLIS, MN 55408 (612) 825-5503

> KARIM EL-GHAZZAWY Chief Legal Officer AMAYA MAURA Paralegal

(e) Fundraising

The Macintosh system will be very effective in turning out funding proposals, the word processing capabilities and spreadsheets, will assist us in standardizing requisite information all of which should allow us to increase the number of funding requests that can be sent out.

2. Aquisition and Cost

After reviewing quotes from different distributors, including comparison with mail order prices, it is our feeling that it is best if Centro Legal pursues the quotation provided by Computerland. Since Computerland is a well established and nationally recognized computer distributor, it will be available to provide on going service and maintenance if required.

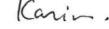
We recieved a quote form the Computerland sales representative on June 11, 1990 for a total of \$ 15,435. We have gone back and requested a revised quote on this price so that we can settle on a figure of about \$ 14,500. Upon our receipt of this final quote we will notify the Board so that we may proceed accordingly.

Sincerely,

Roger A. Petersen

Law Clerk

cc: Thomas J. Barrett, Treasurer Arturo Martinez, Secretary I concer.





Susan E. Conley 2118 Hills Dale Ave. St. Paul, Minnesota 55119 (612) 731-1255

Donn J. Vargas 866 24 Ave. S.E. Minneapolis, Minnesota 55414 (612) 378-9485

Elisa Ybarra 851 E. 3rd Street St. Paul, Minnesota (612) 778-1722

Betty-Jo Zepeda 202 W. Curtice W. St. Paul, Minnesota 55118)612(227-1043 No candidate shall be screened by the Membership Committee unless s/he is personally known to a member. It shall be the duty of the Membership Committee to inquire carefully into the character and standing of the candidate, to receive and consider all communications from members of Centro respecting the candidate. The proceedings and record of the Membership Committee shall be secret and confidential.

The Membership Committee shall report to the Board of Directors the names of those whom it screens for membership in Centro.

All members of Centro who shall file with the Membership Committee a request to that effect, shall be entitled to be notified of the application of all candidates for for membership a reasonable length of time before the Membership Committe acts upon such application.

D. Admission Fees and Annual Dues: Admission fees and annual dues of active members shall be as fixed from time to time by the Board of Directors. Dues shall be payable by each member upon receipt of a statement therefor from the Treasurer.

If any member fails to pay his/her dues within thirty (30) days after the same shall become payable, it shall be the duty of the Treasurer to notify him/her of his/her default and, unless such dues are paid within thirty (30) days thereafter, his/her name and a statement of the amount due will be laid before the Board of Directors, which Board shall have the right to strike from the roll

the name of the member continuing in default, provided that upon his/her written application and the payment of all dues to the date thereof, the Board of Directors may reinstate him/her as a member.

E. Meetings: The membership can, pursuant to Article
VII, call a Special Meeting. At the Special Meeting, the membership
shall have the same powers that it has at an Annual Meeting.

ARTICLE VII. MEETINGS OF THE GENERAL MEMBERSHIP

- A. Annual Meeting: The Annual Meeting of Centro shall be held during the month of November of each year upon such day as is designated by the President.
- B. <u>Special Meetings</u>: Special meetings of the Members of Centro may be held from time to time on the call of two-thirds (2/3) of the members of Centro, or under Article VIII, upon the request of the Board of Directors.
- C. <u>Notice</u>: Written notice of each meeting of Centro shall be given by first class mail not less than three weeks before the date of each meeting and shall state the place, date and time of the meeting and, for a special meeting, shall also state the purpose or purposes for the meeting.
- D. <u>Voting</u>: In the transaction of business at any meeting of Centro, a majority vote of the Active Members present shall be decisive. In the event of a tie vote, the presiding officer shall cast the deciding vote. Voting by proxy shall not be permitted.

- E. Quorum: At any meeting of Centro, twenty (20) percent of the Active Membership, as of the last annual meeting, shall constitute a quorum.
- F. <u>Presiding Officer</u>: At the annual meeting of Centro, the President shall preside, or in his/her absence, the Vice-President, or any member of the Board selected by the Members present, or in the absence of all of the above, any Member selected by the Members present. At all special meetings, the Members shall select the Presiding Officer.

ARTICLE VIII: SUSPENSION AND EXPULSION

- A. <u>General</u>: Any member or Director of Centro may be suspended or expelled from Centro for violation of the Articles of Incorporation, By Laws of Centro, or for any other conduct which places Centro in an unfavorable light in the community.
- B. Complaints against Members: Complaints against a member of Centro for violation of this Article may be made by any member of Centro or by an interested party. Every such complaint shall be in writing, subscribed by the complaining party, and shall state plainly the basis for the complaint. If the Board of Directors shall deem such a complaint of sufficient importance, the Directors shall by the affirmative vote of at least five of its Directors, all of whom must have heard the case, may find probable cause for the charge against him/her and may recommend that s/he be expelled or suspended from Centro. The charge and recommendation

shall then be submitted to the Membership at a Special Meeting, called by the Board pursuant to Article VII(B). The membership shall vote upon the charge and the recommendation. An affirmative vote of a majority of all members shall be sufficient to act upon the charge and recommendation. In the event the membership accepts the charge, it has the power to accept the recommendation or approve its own discipline, by a similar vote.

C. Complaints against Directors: Complaints against a Director for violation of this Article may be made by any member or Director of Centro, or by an interested party. Every such complaint shall be in writing, subscribed by the complaining party, and shall state plainly the basis for the complaint. If the Board of Directors shall deem such a complaint of sufficient importance, the Directors shall, by the affirmative vote of at least five (5) of its Directors, all of whom must have heard the case, find probable cause for the charge against him/her and shall recommend that s/he be removed as a Director. Suspension from the Board of Directors is not available as a disciplinary action.

The charge and recommendation shall then be submitted to the Membership at a Special Meeting, called by the Board pursuant to Article VII(B). The membership shall vote upon the charge and the recommendation. An affirmative vote of a majority of all members shall be sufficient to act upon the charge and recommendation. In the event the membership accepts the charge, it must accept the recommendation as to removal from the Board of Directors, and, as

well, may approve its own discipline with regard to membership suspension or expulsion, by a similar vote.

ARTICLE IX. PROPERTY

All interest in the property of Centro of persons resigning from Centro or otherwise ceasing to be members of Centro shall vest in Centro.

ARTICLE X. AMENDMENTS.

These By Laws may be amended, but only by a two-thirds (2/3) vote of Centro Active Members present in person at an annual meeting of Centro, or at a special meeting called in accordance with the provisions of these By Laws after notice mailed ten (10) days before the meeting to each Active Member of Centro, such notice to contain a copy of the proposed amendment with a precise statement of the purpose thereof.

2-11.86 630pm. agendre -Call to order ap of agenda Pres Riport - Exectom. Report)
Standing - Exectom. R. Bylaw Report
Exec. Directors Report Speech Elections of Officers. Instrin to separate two Offices -1a) Explain Casitions Drocess (Open Rominstins Process)

(Call for Rominsteins - if closed ballits) each office -1. sign up shut for Committees Com. wille convend within 2 wks to elect chain of con. a) new Pres. to attack 1 st meeting of elach com. Thomas to all I had journet That Meeting will be decided by the board -

LEADERSHIP

THROUGH

BOARDS, COUNCILS AND COMMISSIONS

- Creating the Future through Better Governance Prepared for the
National Association of Community Leadership Organizations
1983 Annual Conference
Cleveland, Ohio

John Carver[1] September 19, 1983

Leadership as a concept has been studied and pursued by many people. I do not presume to add to that body of knowledge. This paper is addressed to the peculiar and exhilarating challenge to leadership in our communities in the years immediately ahead: the challenge both to develop and to express leadership through our communities' boards, councils and commissions better than ever before.

I would like briefly to discuss the opportunities and implications for leadership development by focusing, in turn, on

- why there is a problem with our current expression of leadership through boards, councils and commissions
- what the future may hold that causes the issue to become increasingly critical in the years ahead,
- how our governing boards, councils and commissions can be transformed and rendered equal to their tasks and, finally,
- what all this has to do with the development of community leaders in the future and with the ability of our current leaders truly to make a difference.

I will use the term "governance" to mean the act of governing an organization by an ultimately accountable board, council or commission. Further, beyond this point, I will use the word

^{1.} Carver Governance Design, Inc. specializes in the board - executive partnership, chiefly in nonprofit and governmental organizations; 2060 Kingdom Drive, Columbus, Indiana, 47201; 812-372-0418.

"board" to stand for all these boardlike bodies which are imbued with governing authority. Boards which have large staffs at their disposal generally govern to the total exclusion of actually doing the work of their organizations. (When boards have few or no staff, they often make up much of the workforce as well as carry out the governing function In these cases, my remarks are directed to the governing part of their two-part role.)

Virtually all corporations, profit and nonprofit, are governed Most political boards. jurisdictions and quasi-political functions are at least partially governed by boardlike bodies. While we like to think of ourselves as entrepreneurial and individualistic, most of our decisions are either made in groups or are made within parameters established by groups. These groups may be informal or ad hoc. but they are more often explicitly constituted, as in elected or appointed bodies. Because my focus here is community leadership. I will concern myself with boards of nonprofit and governmental activities.

Weakest Link in Enterprise

One need only observe boards for a short while to understand the problem. Whether charged with governing our bodies politic (city councils, legislatures) or our smallest units (struggling agency boards of directors), boards are predictably flawed. Board activity tends substantially toward the short term, event-specific, administrative, detailed, non-decisive and personnel-focused. Responsible people serving on boards want—but seem powerless to attain—board action that is long term, policy-specific, broad-based, timely, efficient in use of time and relatively free of personality focus.

One would travel far before finding a school board which really spends much time deliberating, with a long term perspective, what the products of public education should be. One would be delighted to find a mental health board that puts significant time and energy on what results are sought and what are It would be an exciting discovery to see a city achieved. council that does not trip over tiny budget items while leaving unaddressed major questions about the future of the community. Boards of chambers of commerce, community action programs, advocacy groups, professional societies, public schools. universities, symphony orchestras, cities, counties, states and the nation seem to be similarly flawed. Ironically, the problem exists regardless of the intelligence, caring and diligence contributed by the members of these bodies.

Leaders who already exist are going untapped. Potential

leaders are being frustrated rather than developed as the critical resources they are. Countless persons volunteer their energies and their precious time and do not make a difference in the way they might.

Let me take school boards as an example because they are familiar to us all. Most of what school boards do is to review, rehash and redo what their administrators have already done. They spend most of their time getting better at the wrong things! They consistently illustrate the traps involved in becoming incompetent groups of competent people. Meanwhile, they do not tackle the difficult tasks of assuming what kind of world tomorrow awaits today's children, of determining in the long run what skills and understandings should be imparted, of challenging their Superintendents to find whatever legal and ethical means that might produce the results. No, they are more likely to stay entangled in a plethora of means, even demanding approval authority over the most miniscule of matters, and somehow never get around to creating the future. Our schools are responsibly led by their boards and therefore cannot be responsibly managed because boards say too much about means and too little about ends. Board leadership cannot be powerfully expressed because they seem to have no way to distinguish small issues from large.

The Challenge Grows

The state of the art in governance has not been up to the tasks of the past. It is even more likely to be insufficient for the future. What the future holds is, of course, based on assumptions, but well grounded assumptions are available. The most popular and respected current work on our future has been presented by John Naisbitt in his book Megatrends[2]. Some of the trends described are easily related to the jobs of our community boards and, consequently, to the circumstances of leadership. Without attempting to be exhaustive, some obvious cases can be made:

From centralized to decentralized. As a people we have repeatedly expressed our desire for local control rather than to serve distant masters. Recent shifts from federal to state and local governments are not random events. Local control in the many areas formerly dominated by federal authority calls for better local decision processes and clearer communication among the several divisions of our social labor. Local governing groups are not as accustomed to making their own value choices as

^{2.} Warner Books, 1982

they need to become. Taking marching orders from Washington is different from creating your own.

Further, turning to the organizations we govern, decentralization of authority within them calls for more sophisticated management and governance than centralized operation. Allowing as much variety and authority as possible at points distant from the governing board demands careful balancing of accountability and latitude. How can a board grant great amounts of authority to others and still responsibly assure the total effort?

From heirarchies to networks and from vertical to horizontal. Mental health agencies related chiefly to state and federal mental health authorities. Schools related largely to state and federal offices of education. Juvenile justice officials related predominantly to their state and federal cohorts. The political shift mentioned above will eventually confront these and other local efforts with having mainly to deal with each other! The governing boards of local organizations now rarely speak to one another. Competent and creative local control across our wide spectrum of involvements is impossible under that condition.

From business as usual to accountability. Many public service endeavors are caught up in an especially pernicious type of business as usual. Public education and mental health are good examples. In these fields, it matters far more how the job is done than whether it produces useful results. That is, excellence is defined in the means rather than in the ends. Credentials and prescribed method become far more controlling in organizational behavior than the outcome of effort and expenditure. Accountability, to be other than a cheap use of the concept, must mean more than accountability for activity or for busy-ness, no matter how well intended and highly credentialed. True accountability will focus chiefly on results, on what an organization returns to the world in exchange for the resources it has consumed. But this requires governing boards to enunciate these ends clearly, an obligation most boards either completely overlook or timidly avoid.

From strategic planning to strategic vision. The implications for leadership are discernable in all the trends just cited. In the matter of vision, they are right on the surface. What is leadership if not the capacity for vision, the sharing of vision and the ability to motivate each other toward those horizons we are capable of creating? Surely the more enlightened concepts of strategic planning pay more homage to vision than to sterile technique. It remains true, however, that what passes for strategic planning in many community operations is but an extrapolation of daily management. We have failed to give ourselves permission to dream. We manage momentum rather than putting organization into the service of our values.

Transforming Governance

My own dream in this regard is that the purposing, valuing functions of governance will become as important as the managing, deciding functions of administration. Our land and our world need more leadership, to be sure, but we would profit mightily if we did not waste so much of the leadership which already strains at the bit. The problem of leadership in governance is not in the people, but in the process.

The brightest would-be healers would be of little effect without the technologies of medicine; the most adventurous of explorers would suffer dreadfully without a technology of navigation. Those who would fly must lean heavily on technologies of aviation. Managers in this age, to excel, must know the technologies of management, largely developed in the past half century. And those who would lead in our communities through governing boards can only do so optimally with a useful technology of governance.

My professional life over the past several years has been devoted to the development and testing of what could loosely be called a technology of governance. It is a framework which packages the governing job—wherever it occurs—in a way that eliminates the systemic flaws contained in the conventional wisdom of board operation. The conceptual design, policy governance(tm), is a transformation of previous approaches to governance rather than an incremental adjustment of them. This is true in the same way that you cannot "fix" a Piper Cub enough to make it a Boeing 747.

I will not take this space to detail the composition of policy governance, although listing its ramifications are in order[3]. The implications for leadership development and expression will be obvious.

Focus on values. The board places its emphasis on the values of things. Policy-making comes to be value-clarification; we govern by controlling the major organizational values. The board has neither time nor patience for trivia. Specific decision making falls to the chief executive or subordinates, though within the value parameters of the board. Since the focus is on

^{3.} Attached to this paper is a copy of Business Leadership on Nonprofit Boards, a 1980 monograph of the National Association of Corporate Directors, in which I briefly outline this new approach to governance.

values, the board need not suffer from the entanglement in today's specifics that stultifies vision.

Prescription of "ends" / proscription of "means". For those values which relate directly to ends (matters of what good we are going to accomplish for whom at what cost), the board is aggressively prescriptive. It says, with adequate input, of course, what results it expects. But with regard to the means of accomplishing the ends, the board leaves these values and choices up to its chief executive and staff except to prohibit or proscribe those means it will not allow. Unallowable means are matters of ethics and prudence, clearly value issues for the board to delineate.

Long term perspective. Particularly with regard to ends issues, the board is compelled to cast its sights over the longest time horizon of any level of the organization. This is the place for vision, especially since there is a "what is worth what" value focus here. Board meetings are sessions wherein the topic is regularly the long term future, not a rehashing of the past and not even an involvement in the immediate future.

Primary relationship with the stakeholders. The board sees its primary link to be with its "ownership" (usually the public) rather than with its staff. It sees its own accountability with respect to the ownership and judges its performance in that light. The board thereby avoids becoming an apologist for staff and, in fact, can operate truly as the governor of staff on behalf of a greater legitimacy.

Monitoring. The monitoring of agency performance is a simple matter of assessing in a systematic manner whether the chief executive sees to it that board values on ends and on means limitations are realized. The board is able to be "on top" of executive performance without being lost in it (remember the school board example?). Further, board meetings are not used for assessing performance (an essentially retrospective, noncreative activity), but are devoted to creating the future. The leaders' obligation to be certain the here-and-now does not go awry can be met without crippling the more demanding obligation to say where the here-and-now should be going.

Board and executive job descriptions. The job delineations of board and chief executive are clear enough to eliminate gray areas, overlaps and gaps. Delegation is in terms of results rather than of activities. The board does not slip into becoming "superstaff" but has its own peculiar role to fulfill. Further, the board is not a constant approval authority of executive actions, but operates proactively.

Minimal paper! For many, the chief advantage of this system is that it uses a minimal amount of paper! The board governs with a

limited number of explicit, succinct policy statements. It does not adopt lengthy staff documents (like personnel policies, for example) nor does it have to read volumes to govern well.

Inter-board communication. Perhaps the most exciting possibility opened up is board to board communication within communities. This capability is enabled by (a) the board's being able to govern its agency responsibly yet without exhaustion and (b) the board's having a language suitable to inter-board communication (a language of community values rather than a language of staff details). For community wholeness, for broad spectrum local control and for less rigidity in community institutions, this feature is the most promising of all.

These have been some of the more striking features of improved governance. The new model offers the opportunity for boards to lead, really lead even in the most technical of fields. For the most powerful characteristics boards bring to the arena are their values...and values transcend disciplines, methods and all the trappings of organization[4].

Leadership in Communities

My thesis has been this: Because our community decisions and directions are created largely in our governing organs, it follows that a significant part of leadership makes itself known in boards, councils and commissions. To the extent we want to get the most of the leadership capacity we have, we must design governance better to take advantage of that leadership. To the extent we want to develop new leaders, we must design governance better to stimulate the bigness in us rather than the trivial.

It would be difficult, in fact, to discuss the quality of leadership in a community without speaking as well of its boards, councils and commissions. It is through these groups that the future is being created or being defaulted upon. It is to such sites of power that leaders gravitate, as well they should. Those in the business of developing leaders cannot escape being in the business of creating better community governance.

^{4.} Other published and unpublished papers on governance, by title only, include: Toward More Effective Library Boards; The Market Surrogate Obligation of Public Sector Boards; Toward a Governing Technology in the Third Sector; Here's Help for Board Members; Governance Consulting - Leverage for Organizational Effectiveness; Governance - The Need for Integrity; Is America Ready for Self-Governance?; and others.

BOARD PRACTICES

MONOGRAPH

National Association of Corporate Directors

One of the American Management Associations

OCTOBER 1980 NUMBER 12 BUSINESS LEADERSHIP ON NONPROFIT BOARDS by John Carver

ABOUT THE AUTHOR:

John Carver



John Carver is a management and governance consultant/trainer. His specialty is in the operation of boards of directors. His development of a "technology of governance" to enable a new level of effectiveness in the board process is drawing increasing attention among nonprofit and governmental

organizations. His academic background is in business, economics, education and psychology wherein he earned his B.S., M.Ed. and Ph.D. degrees. Mr. Carver, who has managed public services for twelve years, is a frequent speaker and author on the topics of purpose, productivity and performance in the "nonmarket" sector.

Board Practices Monographs

Board Practices Monographs are published regularly for NACD members. However, a limited quantity of Monographs are also available to non-members and libraries at \$5 per monograph. Please inquire about quantity discounts. The views represented by contributing authors are theirs solely and, as a matter of policy, do not necessarily reflect the views of the National Association of Corporate Directors.

NACD Programs and Services

Directors Monthly Newsletter...keeps you abreast of current events and important boardroom issues.

Special Report Series. . . helps you assess how boardroom trends will affect you in the future.

Board Practices Monographs...enhance your knowledge of a variety of specific boardroom situations.

Alerts...give you ample warning of legal and regulatory changes.

Corporate Governance Review...stimulates thinking about the role of the board in corporate governance.

Executive Compensation Service. . . helps you judge the adequacy of officer and director compensation.

Bookstore...saves time in locating and ordering boardrelated printed materials.

Libraries. . .make board research information readily available.

Director Information Service. . . gives you answers to specific board-related questions quickly.

Briefings and Seminars. . .sharpen your boardroom knowledge and skills.

Annual Conference. . . provides a chance to meet and socialize with fellow directors.

NACD Institute... builds confidence in your abilities to handle difficult boardroom situations.

Directors Register...introduces you to other members seeking outside directors.

For more information on NACD services to members (and non-members) please direct your inquiry to the NACD Membership Secretary at 1800 K Street, N.W., Suite 1124, Washington, D.C. 20006, or telephone (202) 466-4474.

© 1980 National Association of Corporate Directors, a division of American Management Associations.

BUSINESS LEADERSHIP ON NONPROFIT BOARDS

John Carver

Summary

Business leaders have much to offer the governance of nonprofit enterprise. But for a number of relatively unexplored reasons, contributions by corporate directors and executives as nonprofit board members have not always been as striking as expected. Peculiar circumstances of nonprofit agencies often ensnare knowledgeable managers and general public alike. Lack of clear bottom lines and meaningful market competition leads to a system which does not self-correct. Runaway size, costs and well-intended activities are bound neither by purpose nor by productivity requirements.

Futile attempts to "run this agency like a business" meet often with minimal success and much opposition. This monograph explains the governance of nonprofit organizations in a way which enables business insights to be translated into sound assistance at the board level.

Community Service

Business leaders characteristically feel a strong obligation to community service. While they might volunteer their energies in a number of ways, their peculiar skills often draw them into service on nonprofit boards of directors. This monograph is written to the corporate director or other business leader who donates time to the governance of a nonprofit agency.

Scope and Import of Nonprofit Boards

The variety of organizational activity in the nonprofit sector of our economy is fully as diverse as among business companies. Education, health, civic improvement, cultural and other functions are organized under not-for-profit corporate charters. Professional associations, clubs and chambers of commerce are as well. With the exception of the largest end of the scale, the diversity of size parallels that within business corporations.

The remarks which follow, then, relate to a wide variety of nonprofit enterprise. It matters not whether the agency is organized under a corporate charter or under any one of a number of government mechanisms. These comments are, however, restricted to instances in which an agency has a true governing board, defined as an empowered body of persons charged before the law with ultimate accountability for and authority over organizational activity. Advisory boards or other committees and councils whose authority to act is at the pleasure of another group or individual are excluded.

Boards addressed by this monograph are those which are tantamount to the corporate board of the business firm. They may be called boards of trustees, regents, commissioners, governors or any one of a variety of titles. The salient feature is simply that they be the legally accountable body for the organization.

The Nonprofit Challenge

The aggregate effect of all nonprofit agencies on our public life is staggering. Peter Drucker (Wall Street Journal, October 3, 1978) has drawn attention to the rapid growth of what he terms the "third sector" (neither government nor business), noting that it may now employ more persons than all levels of government combined. Yet we know little, he found, of "its economics, management, performance and impact."

Surely there are grave flaws in the management of non-profit enterprise. Rather than catalogue them here, in the interest of space I will allude to them in a more positive, prescriptive manner later. It suffices to say that the "third sector", like government, is ripe for improvement. Dale McConkey contends (MBO for Nonprofit Organizations, AMACOM, 1975) that the next major breakthrough in management will occur in the non-profits.

My extensive experience with both nonprofit and governmental enterprise suggests that breakthrough will come about through two routes: First, we have yet to apply the concepts and principles of professional management in a rigorous way to the administration of nonprofit agencies. Although there is a developing literature on the subject, nonprofit organizations are by and large still directed by managerial amateurs in ways which routinely violate the most elementary rules of good management.

Second, we have no coherent conceptual framework with which to design the board's job. Governance proceeds along a seat-of-the-pants course just as management several decades ago. Unlike the subject of internal management, on which there is at least widespread agreement that improvement is needed and perhaps on its way, the topic of governance is a virtual vacuum. In the way that MBO is a technology of management, we are strikingly in need of as helpful a technology of governance.

A technology of governance would answer not only to the morass of busy ineffectiveness in which most nonprofit boards find themselves, but to the basic flaws of nonprofit management as well. For poor management is allowed to exist (and often caused) by inadequate governance. Because conditions are similar for nonprofit and government enterprise, the potential impact of better governance and management is vast, especially in an age which sees increasing amounts of national economic activity in these sectors free from the discipline of the marketplace.

Profit-Nonprofit Differences

The executive or director familiar with business boards will find some obvious differences between profit and nonprofit organizations and their boards. Most obvious, of course, are that nonprofits have no holders of equity, no accounting function called profit and no distribution of earnings.

Nonprofit organizations ordinarily address socially determined areas of human need which, for whatever reasons, the market system has not met. It would be well to keep this point in mind inasmuch as one self-survival tactic of a nonprofit is often to compete with a developing market system. The nonprofit board, much less its staff, is hardly disposed in time of stress to bow out graciously if the market system becomes able to address the needs for which the nonprofit organization was created.

The need areas addressed by nonprofits are often complex and entangled with human problems and social conditions. These are often intangible, subject to the influences of social change and not open to single product solutions. Deep conflict of values is often barely below the surface of polite board discourse.

Funding is often an involved arrangement of philanthropic or governmental sources, each with an array of requirements, reporting methods and inspection styles. These are sometimes even in conflict with one another. Reliance on government mechanisms imposes much of the short-term thinking, last minute dicta, bureaucratic rigidity and quick starts and stops inherent in the caprice of governmental operation.

The staff are often quite highly skilled, though usually not in management. Professional identification with technical disciplines can be striking. Loyalty may be much stronger to extra-organizational professions than to the organizational mission. Effectiveness can easily become less important than looking professional to other professionals. Many nonprofits employ highly trained persons. Elitism, turf protection, disproportionate regard for academic credentials and impatience with "lay" control all combine to demand a great deal from any would-be board leadership.

The nonprofit board is characteristically larger than the business board. While industrial boards average around 11 directors, it is not uncommon for nonprofit boards to have 20, 30 and even more members. The awkwardness of size may be the first difference with which a new director is impressed.

Directors are ordinarily unpaid and the concept of inside director is virtually unheard of. Complete separation of board and staff, which may or may not be in the future of business boards, is a way of life for nonprofit boards. Unfortunately the clarity of separation is not always reflected in clear differentiation of job roles.

Directors differ greatly in ability. This is not an unknown circumstance in business boards, but there is greater likelihood that business directors are chosen for their effectiveness than that nonprofit directors are

chosen for that purpose. Nonprofit board appointment is more likely to be on social prominence, class, compatibility and sometimes inclination to contribute funds. Among nonprofits created under or funded by federal programs, board appointment tends to be related more to representatives of various classes than to ability. Competence, of course, can be found among all peoples, but nonprofit boards have often been less than effective at attracting it. The great variance in skills results in silent directors, leadership by the vocal few and frustration for the effective director.

When the nonprofit organization itself is small, the board of directors may be a workgroup as well as a governing body. This duality is akin to the small and closely held family corporation where the board exists only due to legality. There may be no staff at all, a common condition in professional societies and advocacy associations. This situation is a problem only when the board fails to recognize that it has two distinct roles: workgroup and governing body. The governing role is usually the one to get short shrift.

The Profound Difference

These foregoing items will be obvious to a business executive or director embarking upon nonprofit board service. There is a less obvious peculiarity, however, which has a profound effect upon nonprofit operation and upon the board task.

The basic building block of commerce is a marketplace wherein vendors and purchasers freely exchange value for value. Nearly all nonprofit organizations are free from the starkly impersonal judgment of that arena. This break in the critical vendor-purchaser link sets the stage for a fundamental nonprofit circumstance, one which renders the entire list above merely cosmetic.

It is not the nonprofit status itself which causes this phenomenon. Profit makes little fundamental difference in managerial or governing functions. It need not reduce or enhance excellence, nor cause decision making to be substantially different. Except that the nonprofit status avoids taxation and distribution of earnings, it is virtually meaningless to the operation of the enterprise. It is the nonmarket status which matters; this monograph could more accurately have been directed at the broader category of nonmarket boards. The comments made herein apply to governmental boards, commissions and councils because they, too, are nonmarket. In fact, the category of nonmarket governing boards will include elected political forums such as legislatures and the U.S. Congress.

Much of the challenge facing directors of a nonprofit board grows out of the peculiar situations arising from nonmarket status.

For example, because the market does not operate to determine whether a product costs too much or is not sufficiently effective, there is at best only a verbal process to decide these values. Market determinations are made by real action choices of consumers as opposed to verbal statements of preference or belief. In the absence of the harsh but real behavioral choice of the marketplace, decisions are nonetheless made regarding product costs and

quality. But these decisions are made through a verbal evaluative process, not the more honest behavioral one. These decisions may be made by funding bodies or by boards of directors. More often, due to governing board default upon such basic issues, decisions which would have been made by a market are made instead by staff.

The critical role of market surrogate is peculiar to nonmarket boards. It is a challenging responsibility which business boards never have to consider. Unfortunately, nonprofit and governmental boards often fail to consider it as well and, because excellence in performance is rarely required for their survival, are never called to task for the omission.

A Technology of Governance

Corporate directors and executives who have developed the skills of professional management have much to offer the nonprofit board. It is necessary to have learned the concepts generic to all management, not just the body of knowledge specific to a particular business; not all directors or executives have done this. Principles of management may be profitably applied in nonprofit settings, but only if the fundamentals are well understood. Management methods learned in one industry may not transfer directly to another; yet the concepts and performance-oriented mentality can be powerful when abstracted properly between industry and industry or profit and nonprofit.

Still, competent business leaders fail to contribute as much as they could on nonprofit boards. Sometimes it even appears that membership on a nonprofit board is a condition in which excellent managers forget most of what they know about the art and science of their calling. Clearly there are circumstances peculiar to the nonmarket status of these boards which are predictably seductive, routinely entangling competent and dedicated persons in trivia, short-term issues and in nonproductive business.

The tendency of nonprofit boards to become, as I have published elsewhere, incompetent groups of competent people is uncanny in its strength. This problem is the chief reason that a technology of governance is surely needed: to do for governance what precision management techniques have done for operations. Business boards are not better off than nonprofit boards in having a coherent framework from which to operate, but they are not so adrift without it. The market does its work; bottom lines are by nature more clear. Without a market (except a verbal, rhetorical one) and without crisp bottom lines, the nonprofit board is often wasteful in its use of directors' time, undecided as to its goals, unable to provide a firm foundation for management and incapable of the discipline required to achieve productivity for today linked clearly to a vision for tomorrow.

There can be technological development in governance, though our boards-will-be-boards judgment suggests that my belief is not widely shared. My chief pursuit for several years has been the development and teaching of an nascent governance technology, applied to non-profit and governmental boards wherein lies its strongest test. A brief monograph affords too little space to

describe such a complete rethinking of the governance function, but a number of useful hints from the approach can be shared here.

The organization of board functions on which these comments are based is called **POLICY GOVERNANCE**. It is founded on the simple fact that control of value is the most efficient control one might exercise. Governing by policy (explicit statements of board values on various topics) enables a board to attend to the big questions, to focus on the long term, to avoid trivia, to demand excellence in management and to overcome the nonmarket dilemma.

Moral Ownership

Rational construction of the nonprofit board's role must start by clarifying who is its "moral ownership". Business boards may be more or less mindful of their ownership, but there is little doubt that holders of equity are that body. Moral and legal ownership is, in this case, the same. Nonprofit boards have no stockholders but surely do have, as the term is coming to be used, stakeholders. Community mental health centers, public schools and state agencies often have easily identified populations as their moral ownership. Professional and trade associations, civic groups and interest clubs are usually accountable to a circumscribed membership. Boards of symphonies, museums, universities and public television and radio must engage in some deliberation to decide upon the less delineated ownership to whom they are most reasonably accountable.

In any event, nonprofit directors should be clear as to whom they officially consider to be their moral ownership. This is not related to funding sources to whom a board is accountable by virture of contract (to receive funds in exchange for rendering certain services or behaving in a prescribed manner). It is a separate and prior consideration more organically relevant to the corporate character. A school board, for example, owes its primary allegiance to an ownership consisting of the citizens of its district, not to a state or federal agency which contributes many dollars nor only to parents in the district.

Determination of the ownership is important since it is in the ownership's interest that the board must responsibly act. A board often initiates discussion of its role by examining the relationship with its chief executive. This is unfortunate, for we thereby ignore a critical connectedness between an organization and its base of enfranchisement and we impart an internally-focused bias to all further proceedings.

Ends

Focusing internally to the exclusion of the external is best illustrated by nonprofits which attend very little to the *ends* (outputs, impacts) of production and quite minutely to the *means* (methods). This is tantamount to running a business which can ignore the market. Methods, appearances, credentials and words would suddenly acquire more importance when previously their worth would have been based on their contribution to market performance.

Purpose

The primary statement of ends is purpose. In some ways, the establishing of a succinct purpose is parallel to deciding what business you are in. But there is an important difference. For the business corporation it is understood that achieving a reasonable return on equity underlies all corporate affairs. With that obviously as a given element, "what business are we in?" is then best answered in terms of the human need(s) to which the company will address itself.

Nonprofit organizations are not always clear about how to translate the underlying issue of return. Further, they usually phrase their purpose in terms of some set of activities in which they will engage. "To provide X type of services" is a common phrasing. Consequently, purpose is rarely stated as an end product, but as a means to

some unstated end product.

The corporate director or executive should be able to recognize the fundamental flaw introduced to nonprofit operation by using, as one's corporate reason for existence, a means rather than an end. From the national scene (where Congress appropriates money for activities, not for results) to the small agency board (where good works suffice for having really changed anything), the foundation of non-competitive enterprise is faulty indeed. Hence, great bureaucracies justify their existence (and even further growth!) on busyness rather than impact. In most nonprofit agencies, a host of non-bottom line isssues, in lieu of results, acquire disproportionate importance: credentials, looking busy, working hard, safe behavior and so forth become the chief values.

Nonprofit purpose is most profitably put in terms of what is to be different in the world because we do business, i.e., what will change for human beings. Will people have more coping skills for everyday life (a developmental disabilities agency), fewer psychological interferences with normal social and productive functioning (a mental health center), greater diversification of the employment base and more favorable conditions for business growth (an economic development commission)? Corporate leaders have learned the great folly of what George Odiorne called the activity trap (Management and the Activity Trap, Harper & Row, 1974); there is no reason to countenance the activity trap in nonprofit agencies any more than in an enterprise whose goal is a reasonable return to stockholders.

Products, Customers and Costs

The purpose should be complemented by further ends policies. If purpose is the satisfaction, reduction or creation of some human condition, the nonprofit board must go further to say which conditions in which persons and at what acceptable cost. Such policies in a mental health center might call for a predominant emphasis on serving the severely (rather than moderately) disordered at some projected level of effectiveness at a cost on or below the "industry average" (a figure often available from state statistics).

It is important that the nonprofit board speak clearly and deliberately to these *ends* issues, for they comprise the basic value questions of the organization. Every good result has an opportunity cost; philanthropic or taxgenerated funds could have been used for other human needs (not least among which would have been private use). The issues of (a) how much impact on (b) which needs is (c) worth what foregone opportunities is the most critical set of questions the nonprofit board has before it.

Yet those issues are largely settled by default rather than by deliberation; they are determined by happenstance, staff preferences and expediency. Boards are usually too busied with items of demonstrably less import while they avoid their primary obligation to enunciate organizational ends. Drucker has warned that nonprofit agencies can become very efficient at doing the wrong things. Such an unfortunate situation is common and can be directly ascribed to the failure of governing boards to control the ends.

Means

The main reason nonprofit boards leave ends inadequately addressed is their preoccupation with means. Like the unsophisticated manager who becomes highly involved in prescribing his or her subordinates' method of obtaining results, boards intrude routinely into the management process. Boards should, by and large, stay entirely out of means to be used by their subordinates except to prohibit the means which will not be tolerated.

If we are to become results-oriented in nonprofit enterprise, there must be far more innovation, constructive risk-taking, freedom to experiment and payoff for performance. Professional managers know that these are the conditions necessary for today's productivity and tomorrow's technological development. Nonprofit boards stifle innovation and reward conformity by prescribing *means*.

They are often at the mercy of higher boards (Congress, legislatures) who foist these conditions on all agencies receiving government funds. When *means* are set from above (especially when, at the same time, *ends* are not rigorously stated), excellence in management is impossible. In fact, good and bad management skills may be indistinguishable. An experienced captain and a landlubber sail equally well in a ship whose hull is full of holes.

Of course, all *means* are not justified by the *ends*. But most are. Those *means* which a board, in contemplating its values about ethics and prudence, feels should not be violated may be said explicitly. It is best to address such matters negatively (say which limits, minimums, maximums, etc. may not be crossed) to avoid regressing ever so imperceptibly over time into prescribing *means* again.

Examples of board prescriptions of *means* might be policies which, with respect to the chief executive and his/her designees: prohibit unfair or inhumane treatment of employees; limit the amount of capital funds which may be expended; put a floor under the conservatism with which revenues may be projected in budgeting; prohibit the establishment of employee compensation outside a range reasonably related to the geographical or professional market for the skills employed. Content of these policies depends solely on the values of the board. *Means constraints* should be imposed soberly since each one will cost the board some amount of potential executive creativity and flexibility.

Boards need not establish the traditional "personnel policies", need not examine budgets in fine detail nor "approve" staff actions. By careful protective language at an appropriate policy level, sufficient clarity can exist to free the board to get its own job done. The characteristic "approval syndrome" in nonprofit agencies comes about because boards have not done their jobs competently. When prescription of ends and proscription of means have been explicitly addressed to the chief executive, enough executive authority can be delegated to assure responsible action without the inefficient "keep coming back to parent" kind of bossing style.

Monitoring

All this assumes, of course, an adequate monitoring or control function. The board, in order to rely on governance by policy, must at all times be assured that its policies are followed. Unplanned, happenstance monitoring is the predominant method leading nonprofit boards into vascillation between keeping on top of nothing and trying to keep up with everything. Boards can well use the corporate manager's skill in carefully selecting the indices to be monitored and the periodicity of the control. Obviously, if the emphasis is on the results (ends) rather than means, it is easier to select reasonable measures of performance. Monitoring means is an illusion of ends control, however extensively it may be designed.

Illusions of control are common. The revered monthly financial statement is usually such an illusion. It is not out of the ordinary for most board members to "approve" the report with little understanding. (What approval means in this context is itself difficult to construe as a meaningful action.) Certainly there is useful knowledge to be gleaned from financial reports, but the particularly important information must be extracted from a mass of tangential data. Since the financial control to be exercised by a board need not be at the technical level of the controller, a useful course of action is to determine exactly what financial monitoring questions should be asked by the board. The consistently meaningful fiscal report would be comprised of pointed responses to those questions.

The purpose of any monitoring is to answer specific management questions about conditions. For control to be cogent, certain requisites are necessary: We must first have said what the condition should be at this point in time on a given matter ("how are we doing?" only makes sense after we've planned). We must have given sufficient thought to what is to be monitored so that we can be focused about it. Monitoring a few summarizing, integrating variables is a far more powerful tool of control than monitoring many variables simply because they can be obtained.

The bottom line mentality which corporate directors and executives might bring to nonprofit boards can help save the control function from the extremes of abdication on the one hand and panicked flurry on the other.

Levels of Issue

Whether issues of ends or of means constraints, all issue topics may be separated into levels. It is far more functional for a board to consider its concern to be the top level of all issue areas than to deal with all levels of some issue topics and no levels of others. That is, the board-staff differentiation should be by levels of issue, not by topics.

Harold Koontz (The Board of Directors and Effective Management, McGraw-Hill, 1976) emphasized "that determination or approval of major policies does not in itself get the board of directors into day-by-day decision making." He found that some business executives "fail to make this distinction, thinking that the power to make policies in a given area implied that the board would make all the detailed decisions in that area."

In speaking to any specific area or topic, the board's "level of concern" would obviously be the broadest. Whatever policy is rendered at that level could be looked upon as "containing" all further prerogatives of the subordinate decision structure. If the board statement is carefully put, then all executive choices which are, in fact, within the broader guidance are acceptable without further review. (A routine monitoring system which need not take board time automatically assures the board of this "in fact" proviso.)

Many unnecessary tasks in which boards become involved could be avoided. Boards characteristically get quite caught up (or, rather, dragged down) in personnel and budget issues, to name but two. Rather than decide what to address at their level of concern about these issue areas, boards often get into the details of both. Boards can be indiscriminating as to priority or breadth of the details they choose to deal with. They very often, in an ironic reversal, will spend time on issues in opposite correlation to their importance.

The board may extend its concern into lower (less broad) levels if it wishes so long as (a) it does not trade away its ability to maintain sure control over the whole in order to get more detailed in a few topics, (b) it moves in smooth sequence to lower levels of issues rather than jumping willy-nilly into far lower (and, therefore, delegated) concerns. If these principles are followed, the chief executive can be empowered without reservation to exercise full authority beginning immediately when the board's explicit statements have stopped. Board control and executive freedom from intrusion are both achieved simultaneously.

The Executive Link

While this view of the board-executive relationship is merely a translation of proven principles of management, it is quite disparate from the usual board style. Nonprofit boards have tended to be quite lax in demanding that their chief executives manage. Amateurism has been acceptable. Those who have sought to press for more adequate performance have sometimes been ignored with the justification that "you can't run this program like a business". Yet, business or not, the task of the chief executive is to transform purpose into performance;

whether performance is measured in profit is of no consequence to the management responsibility. While it is not necessary nor is it appropriate to run a school system, community service agency or city library "like a business"; there are, nevertheless, principles under which supermarkets, foundries, hospitals and mental health centers alike can best marshal capital and human skills to produce new value.

How the board relates to its chief executive will go far to determine whether he or she will see the task in these terms. Boards who treat their CEO's like clerks will likely get clerk behavior. Boards who default on their own duties (chiefly on the obligation to enunciate organizational policies well) or who meddle in administration are inviting their CEO's to be milquetoasts or manipulators.

Policy Governance

Governing by policy is an advanced approach to board operation. Policy governance is based on the fact that control of values is the most powerful control to be exercised with a given amount of energy or attention. Decisions and other behaviors, whether of individuals or organizations, derive from the application of values to specific circumstances. My values can be inferred from my actions, some more clearly than others. In fact, my actions are probably more true to my real values than my words might be.

You may control me by sticking close by and determining every action I take. But that kind of control requires a tremendous amount of attention and energy on your part; you certainly could not manage in that manner. If, however, you could control my values, with much less expenditure of your own involvement, you would achieve a great deal of control over the action in my life. Policy governance enables a governing board to determine major organizational values in as simple, clear and certain a manner as possible.

But values by nature are subjective; they relate to relative importances and to judgments of ethics and prudence. Their very subjectivity (as well, of course, as their powerful effect on the organization) is a prerogative of ownership, not of professionals or technicians. What is an acceptable return on equity? What is an acceptable risk in entering a new business? How much short-term profitability will we sacrifice for long-term market share? What ethical minimums will we observe in treatment of employees regardless of productivity effects? These are value issues of considerable import to the corporation. Their resolution may be referred to as policy.

But the resolution of these and other such issues is not always explicit; often it is unstated, open to wide interpretation and therefore unavailable for use as a clear guide to management. Implicit policy is born in default, it is impossible to delegate well, it signals an abdication in the proper authority sequence and enables important issues to be avoided, at least for a time.

For the nonprofit board, other than policies dealing with the governance process itself and with the approach to executive empowerment and appraisal, the major policies should deal with the four outstanding value issues which confront nonprofit operation: what good shall we do? ... for which people or needs? ... at what cost

in other opportunities foregone? ... with allegiance to what standards of ethics and prudence?

A rigorous attention to policy development does require discipline at the outset, but it greatly simplifies the board's job while demonstrably aiding its effectiveness. This enables the board to have a paced, deliberate approach with a long-term mentality, to avoid crisis governance and to lay the foundation which assures management performance. This approach both enables and requires boards to relinquish making decisions about one event after another in favor of examining those values on which they would have based their decisions on those events. The use of board time, then, makes a dramatic shift from a constant stream of decisions to the studied enunciation of values.

Board's Job Description

Using the "values contributed" or "key result areas" method espoused by most modern proponents of MBO, the following is the irreducible minimum job description:

I. Adequacy of linkage with the moral ownership: The organizational connectedness to its moral owernship is a unique contribution of the governing board. This function ties the organization into a larger legitimacy and ensures against an inward focus of the governing body.

II. Completeness of explicit statements of value to be served and observed by the organization: The definition and circumscribing of the organization in terms of values is the policy creation obligation of the board. Those policies must be categorized in a way useful to organizing the board's thoughts; and they must be capable of being "managed from".

A. Policies about *ends*. These include policies about product, customers, costs, standards.

B. Policies about governance process. These include how this board will approach the governance job, how it will relate to the moral ownership, how it will use its own membership as individuals and as committees.

C. Policies about executive linkage. These speak to the basic approach to delegation ... how the chief executive is empowered and appraised.

D. Policies constraining executive authority. These put limits and prohibitions on chief executive authority; they are the means constraints policies with respect to treatment of staff, assets, neighbors, compensation and so forth.

III. Assurance of executive performance: The board must intend that its policies are complied with and take necessary measures to assure performance. This will require a satisfactory monitoring system and the resolve to act decisively with respect to executive failure to perform.

A board might take upon itself additional areas of responsibility (such as funding level or public image), but certainly has the option to delegate them. These three, however, are undelegable; if the board does not contribute these characteristics to the organization, they will not be contributed with legitimacy.

Having adopted a formal statement of its job, the board must then formulate whatever discipline is necessary to stick to it. One important technique is to test any discussion topic against the board's job. Boards have a tendency to talk about anything anyone brings up. This habit not only wastes directors' time, it seduces them into matters below their legitimate level of concern, into prescribing subordinates' *means* and into issues of too short a time horizon for board involvement.

Board Performance

Only with a coherent conceptual framework can a board rationally design its job. MBO is one such framework for administering; it has provided managers a sound foundation which puts in perspective concepts like productivity, performance, accountability, evaluation and management information. The need for a useful governance scheme is no less striking than management's need several decades ago. Governance needs a moral equivalent of MBO!

Only with a clear design of its job can a board plan for and appraise its own performance. Good performance at the wrong things is common for nonprofit and governmental enterprise. Certainly that deficit at the organizational summit predisposes nonprofit agencies to a host of managerial perversities. Meaningful accountability of the whole is difficult if not impossible when the most controlling segment fails in performance.

Only with an eye toward carefully planned performance can a board decide what skills, understandings or contacts must characterize its directors. The selection of board members, given at least as much care as the filling of staff positions, can lead to a board mixture which contributes to advancement. The wrong qualities, regardless how prized or finely honed, can preclude good board development and performance.

Only with excellence in board performance will we be able to achieve excellence in management. In fact, poor board performance not only allows, but demands poor management. Nonprofit and governmental management today is seriously flawed due to failures in governance. Agency boards are microcosms of boards of the bodies politic in this regard. But purpose can be defined, values to be served can be deliberated and explicitly stated, the moral owernship can receive primary allegiance, ex-

ecutive achievement can be assured. These goals of board performance, if met, can bring about a rebirth of vitality, creativity and productivity in nonprofit enterprise. Taxpayers and contributors deserve no less.

Tomorrow's Challenge

The impact of more effective governance could be awesome. Our nation has, over the past half-century, shifted much economic activity from private to public hands. The ofttime unnoticed benefits of the marketplace as a system cleanser and self-correction device will be sorely missed. The burden placed on governance (in Congress, legislature or nonprofit board) to impose as much market discipline as possible is greater than current governance methods can support. More sophisticated governance is imperative.

Further, the ability of communities to coordinate satisfaction of their needs (rather than look dependently to the statehouse or to Washington) requires of local citizen boards far more adequate governance. They must be able to govern their own agencies with enough ease to have energy left over for board-to-board communication. That communication must be expressed in greatly "boiled down" terms of what good (results) is to be done for which needs at what cost. The technical language of staffs will only bog boards down in details, description and jargon. Presently, unable to communicate with each other (even through United Way consortiums), local agencies spend far more time talking with their state and national counterparts than with each other.

Surely there is much technological development of governance to be done. Business boards have not led the way. The starkly obvious bottom lines available to them and the rigorous market taskmaster have acted, like Adam Smith's unseen hand, to define and enforce successful performance. Nonprofit boards have a more evident need for a sophisticated governance ideology and technique in order to overcome the lack of these conditions.

It is not out of the realm of possibility, however, that business boards might in the long run profit from nonprofit advancements. Directors and executives serving in both sectors will be the connecting link. SUMMARY REPORT

ON

CRIMINAL JUSTICE ASPECTS

0F

CHILD SEXUAL ABUSE

GOVERNOR'S INTERAGENCY TASK FORCE ON CRIMINAL JUSTICE POLICY

NOVEMBER, 1984

INTRODUCTION

In late 1983 Governor Perpich appointed the Interagency Task Force on Criminal Justice Policy to review, assess and make recommendations about criminal justice policy issues which cross over agency lines. The Task Force consists of state agency commissioners, legislators, a Supreme Court Justice, the State Public Defender, the Ombudsman for Corrections and the State Attorney General. (See Attachment A)

The Task Force selected child sexual abuse as its first priority policy issue for review because of the recent attempts to address this problem primarily through the criminal justice system, and because this issue has generated public controversy and interest. Also many of the agencies represented on the Task Force have some responsibility or legitimate role in child sexual abuse matters.

The Task Force chose to limit the discussion to criminal justice aspects of child sexual abuse although it is understood that the problem cannot be resolved within the criminal justice system alone.

For years child sexual abuse has been either ignored or dealt with only as a social welfare matter. Cases were seldom prosecuted in court. Better understanding of the issue and the broader implications of the problem have encouraged a more aggressive response. Recent legislation has supported pursuing child sexual abuse as a criminal matter.

In addition to the concern about the immediate negative impact on the child, it is now known that many adult criminals were victims of child sexual abuse and many adult sexual abusers were themselves abused as children. Juvenile offenders, too, have often been victims of child sexual abuse. Developing criminal justice policy which affect child sexual abuse has many long-range implications.

PROCEDURE

The Task Force developed a series of policy issues for discussion which covered various phases of the criminal justice system response to child sexual abuse. The phases include detection/reporting, investigation/prosecution, sentencing/treatment and victims.

It should be understood that this report is not put forth as a comprehensive analysis of the problem. In view of general interest and concern about child sexual abuse, the Task Force felt it important to complete a fairly early and broad overview in order to present to the Governor and the legislature some of the areas of concern in dealing with this problem through the criminal justice system.

The Task Force chose to learn about the topic by asking persons knowledgeable of these aspects to respond to the policy issues in general and in light of their experience. They were invited to join in a discussion of the issues.

The Task Force heard from law enforcement officers, educators, prosecutors, judges, social workers, therapists, and corrections specialists. (See Attachment B).

RESULTS

The speakers raised many concerns about the criminal justice system response to child sexual abuse.

BALANCE

Specifically all speakers mentioned the constant challenge to balance the protection of the child with the rights of the accused. Although such a need to balance is important in all phases of criminal justice, the involvement of children, and the emotional nature of this issue, makes balancing especially critical in child sexual abuse. The Task Force discussed at length the appropriate role of the criminal justice system in this spectrum. For some, protection of the child was foremost; the child should always be protected. For others, there was the concern about the accused. Small children make difficult witnesses, thus placing the defendant in a precarious position.

REPORTING

Most speakers mentioned that there is under-reporting. There are many reasons to not report even though M.S.626.556 mandates that professionals engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, or law enforcement report to a law enforcement or welfare agency. Some of the reasons given for non-reporting include confusion about how, what, when, or to whom to report, or fear of being wrong.

One of the biggest reasons for not reporting is peer group pressure. This is mentioned in particular with respect to teachers and workers in institutions such as day care centers and youth centers. Neighbors are also reluctant to report suspicions. Others are reluctant to report because of a lack of knowledge about how cases are to be handled and a lack of confidence in the social welfare or law enforcement systems to adequately deal with the problem.

Teachers are especially concerned about reporting because there is a fear that the action might make a child's life worse. There is also confusion within the school system about whether teachers should report directly to law enforcement or to an in-house committee, which would determine what, if any, action would be taken. Over all there appears to be a lack of uniformity in implementing the child abuse reporting laws.

The Task Force questioned the general conclusion in the media and elsewhere that child sex abuse is a crime of the white middle class. The speakers indicated that, while there is not much evidence, child sex abuse crosses racial and cultural lines and is not limited to any particular group. One special problem appears to be in lack of reporting of the crime in the minority community.

Persons are seldom prosecuted for non-reporting. Legislators on the Task Force were especially concerned about this. Legislative intent expected that abuse be reported with no exceptions. Prosecutors stated that in some cases the person who does not report the case is also the key witness and therefore is not prosecuted for non-reporting. In addition, the recent Hennepin County decision regarding non-reporting of suspected child sexual abuse by school personnel raises issues about the constitutionality of existing reporting laws.

TRAINING

Because detection of and intervention with child sexual abuse involves persons from welfare, law enforcement, public health, and education, there is need for these persons to be well trained regarding unique aspects of this type of problem. Each has a legitimate role; each needs to understand his or her role and that of the other agencies. In particular speakers mentioned that joint training was effective in helping each professional understand the role and responsibility of his/her discipline in the process.

PROSECUTION

In general, the criminal justice system is seen as an appropriate mechanism for response to child sexual abuse. Based on the speakers' responses, however, it became apparent that prosecution of child sexual abuse cases varies across the state. In some counties almost none of these cases are prosecuted while in other counties the cases are vigorously pursued.

Other prosecution issues discussed by the Task Force included the appropriateness of plea bargaining, as well as factors such as the impact of the trial on the victim and the family. The questions underlying these factors are whether these "social considerations" should be taken into account when deciding to try a case and whether a prosecutor is adequately prepared to assess these social considerations or whether only the elements of the crime should be used in the decision to prosecute.

CHILD WITNESS

Over and over again the Task Force heard about the difficulty of dealing with child witnessess. Speakers raised the concern about cross examining children and the extreme difficulty in working with small children. Although the use of video tapes is now admissible, the right of confrontation becomes another problem. Statutes and case law are not clear on the use of expert witnesses and the admissibility of out of court testimony. These factors become even more complex in child sexual abuse cases. Again, the issue is how to balance a defendant's right to confrontation and cross-examination of a child victim or witness against the need to protect the child from emotional stress in the effort to elicit and verify the truth of statements or accusations.

SENTENCING

The Task Force heard almost complete consensus that for child sex offenders both treatment and incarceration options are essential. There was little discussion about how much or how long for each component; however, the speakers emphasized that the assurance of court action and a prospect of incarceration are important aspects of the treatment process. Incarceration can occur in prison, the workhouse or jail.

VICTIMS

The justice system is geared toward treatment of offenders, but has not traditionally dealt with treatment of victims. Speakers emphasized the need for treatment of child victims to prevent long-term problems for the child and others. There is significant evidence that abused children often become abusers themselves or engage in other forms of anti-social behavior in later life.

JUDGES

The Task Force heard that because judges have a key role in the resolution of child sexual abuse cases, it is important for them to have the most recent information about resources and possible sentencing strategies. As in the case of prosecutors, the Task Force heard that judges' understanding of and response to child sexual abuse varies widely.

RESEARCH

There is very little information about the long-term impact of child sexual abuse on the victim, the family and the offender. Nothing is known about the effect of the various intervention models currently in use in Minnesota. In particular there is almost no information about how best to treat victims. There is more and more evidence that mothers of abused children were also abused as children, but little is known about the impact of this factor.

Research is a major gap in the understanding child sexual abuse and how best to deal with the problem. There are no research results on this topic and no current plans in Minnesota for a major research effort. More research is needed into the effect of the methods of intervention.

RECOMMENDATIONS:

 Evaluate Traditional Notions of Witness Testimony in Relation to Child Victims.

Particular attention should be paid to the following issues.

- a. Right of confrontation
- b. Hearings
- c. Use of expert testimony
- 2. Support Maintaining a Statutory Structure Which Includes Treatment and Incarceration as Sentencing Components.

If Minnesota Statute §609.346 is cited by the court in sentencing the following criteria should be met: (This statute allows for a stay of imposition if the court finds that such a stay is in the best interest of the victim or the family unit.)

- A professional assessment indicates the offender can respond and has been accepted by a community-based or community located program;
- b. A minimum time of local incarceration;
- A presumptive state commitment if the offender fails to complete the local program; and
- d. That the victims will receive appropriate counseling and other services.

- Affirm the Use of Plea Bargaining as an Appropriate Mechanism for Resolving Some Child Abuse Cases.
- Develop Victim Sensitivity Training for Professional (law enforcement, human services, legal, judicial) Personnel Involved in Processing Child Sexual Abuse Cases.
- Develop Cooperative Training Programs for Professional Personnel Involved in Processing Child Sexual Abuse Cases.
- Clarify and More Vigorously Enforce Child Abuse Reporting Laws.

Urge the legislature to review and clarify the reporting of child abuse in light of the recent Hennepin County decision as well as the concerns expressed by the people who spoke to the Task Force.

 Maintain the Interagency Study Group on Child Abuse for ongoing communication.

This study group should involve personnel from:

- a. Department of Public Safety
- b. Department of Corrections
- c. Department of Human Services
- d. Department of Education
- e. Office of the State Attorney General
- f. State Public Defender
- Request the County Attorneys Association to Review and Report on Charging and Plea Bargaining Practices in Child Sexual Abuse Cases.

Among the issues to be considered are:

- a. What factors are involved in determining whether the juvenile or criminal system should be utilized?
- b. What factors are involved in determining the appropriate charge?
- c. What factors are involved in determining the appropriate plea disposition?
- d. To what extent do victims' concerns impact upon the charging and case disposition process?
- Apparent uneveness in charging practices throughout the state.

 Request research in the problems of child sexual abuse and the long-term impact of models ofintervention on the victims, the offender, and the family.

ACTION STEPS:

The Task Force will present its recommendations to the Governor and the Legislature, and other affected groups.

APPENDIX A.

GOVERNOR'S INTERAGENCY TASK FORCE ON CRIMINAL JUSTICE POLICY

Paul Tschida, Chairperson Commissioner of Public Safety

Norman Coleman Assistant Attorney General Representing Attorney General H. H. Humphrey

C. Paul Jones State Public Defender

Wanda Schumacher Legislative Liaison Representing Leonard W. Levine Commissioner of Human Services

John Poupart Ombudsman for Corrections

Orville Pung Commissioner of Corrections

Justice George M. Scott Minnesota Supreme Court

Nan Skelton Assistant Commissioner of Education

Senator Linda Berglin

Senator Dean E. Johnson

Senator Steven Novak

Representative Sharon Coleman

Representative Connie Levi

Representative Randy Staten

APPENDIX B

RESOURCE PERSONS - CHILD SEXUAL ABUSE

Maribeth Crowell Deputy Sheriff Cass County Nan Skelton Assistant Commissioner Department of Education

Michael Milligan County Attorney Cass County Cheryl Indehar St. Paul Police Department

William Klumpp Assistant County Attorney Washington County Jack Erskine Superintendent Bureau of Criminal Apprehension

Jean Schleh Assistant County Attorney Ramsey County Sandy Hewitt Kiel Clinic

Honorable Donald A. Gray District Court Second Judicial District

Fern-Sepler King Chilc Sexual Abuse Specialist Department of Human Services

Rina McManus Deputy Commissioner Department of Public Safety

Peggy Specktor Director, Sexual Assaault Programs Department of Corrections

CENTRO LEGAL

Goals and Priorities for 1982

- I. Bilingual-bicultural legal services to low and moderate income Hispanics.
 - A. Case Acceptance Policy:
 - 1. Outreach to develop cases in areas important to Hispanics:
 - a. Immigration
 - b. Employment
 - 2. Centro Legal will not accept cases that federally funded legal services programs are accepting. Please see attached "critical legal needs" cases accepted by SMRLS.
 - 3. Case type limitatations
 - a. No more than 35 open cases in the area of family dissolution.
- II. Community Legal Education
 - A. Three community legal education sessions in Saint Paul and in Minneapolis on: immigration, employment, housing.
- III. Internship/Clerkship of Hispanic Law Student at Centro Legal
 - A. Contact local law schools regarding internship of Hispanic law students at Centro Legal.
 - B. Contact Hispanic attorneys to discuss creation of scholarship for Hispanic law students.

IV. Advocacy

 Provide legal assistance to Hispanic organizations presently seeking affirmative action employment of Hispanics.

LA OFICINA LEGAL

STATEMENT OF PRIORITIES

The following activities have been approved by the Oficina Legal staff and Advisory Board as priorities for the upcoming year. (1980-81)

I. Goal 1: Community Education and Accessibility

It is imperative that the office expand its programming in the area of community education with the goal of teaching low-income people what their rights are and informing them of the availability of bilingual legal services if they are unable to enforce these rights without counsel.

Objective 1: Disseminate educational information throughout the Spanish-speaking community.

Method 1: Agency Training

Many organizations now serve the Hispano community in Minnesota including: Centro Cultural Chicano, Hispanos En Minnesota, Chicanos/Latinos Unidos En Servicios Migrant Council and the Spanish Speaking Affairs Council to name a few. Workers in these organizations deal with countless individuals on a daily basis.

The Oficina has made presentations in various areas of the law to most of these organizations. When workers are aware of these areas they will be able to readily identify problems and refer individuals with a minimum of confusion or delay.

Method 2: Educational Materials

There are many good educational pamphlets available in English which should be made available in Spanish as well. La Oficina will begin to make such material available in Spanish contingent upon (1) funding for the hire of a temporary translator, (2) volunteer help, or (3) available staff time.

Method 3: Advisory Board Training

Since Board members have extensive contacts in the community, the staff will set up a training program for Board members so they can give people up-to-date information on what the program does.

Method 4: Community Meetings

Oral presentations to various community groups and gatherings about topics of immediate interest dealt with by the program. (e.g., problems of juvenile law and education and the Family Discrimination Act.)

Objective 2: Accessibility

Increase the visibility and accessibility of the office in the community.

Method 1:

Seek new office space which is handicapped-accessible but still located in the heart of the Latino community - the West Side. New offices should be designed so that client privacy is maximized.

Method 2:

If present offices are kept for any period of time, an outside sign should be placed to let people know we are here.

Method 3:

Use 30 second spot advertising on KDAN radio on Sundays between 9:00 a.m. and 3:00 p.m.

Method 4:

Obtain an automatic phone answering device for after-hours calls which informs callers of what problems the office handles, the availability of bilingual services and the hours during which the office is open.

Method 5:

Seek funding for a community worker to facilitate community education, outreach and accessibility.

II. Goal 2: Legislative Work

The Oficina should work toward the elimination of inequitable and repressive legislation affecting poor people, Spanish-speaking people and aliens.

Objective 1:

Monitor pending legislation and offer testimony or evidence where appropriate. (e.g., changes to the Bilingual Education laws.)

Method 1:

Develop channels of communication with other agencies concerned with poverty or immigration issues in the community, state and national levels.

Method 2:

Create or get involved with state-wide clearinghouses regarding specific issues affecting our clients; read and study clearinghouse materials, the federal and state registers; create a statewide immigration clearinghouse.

Method 3:

Develop summaries and comments on pending legislation and disseminate the information to community groups before, during and after passage of bills.

Method 4:

Organize community persons and groups to comment upon proposed regulations, write letters, lobby, give testimony at hearings, form grass-roots responses to legislation.

Objective 2: '

Monitor the adminstration of the Act by the Minensota Dept. of Education and insure compliance.

Method:

Investigate the system developed by MDE for funding of bilingual education projects across the state.

Investigate MDE monitoring and regulation of existing projects.

Investigate each bilingual education program ourselves and evaluate its compliance with the law; do research into the law and its implications.

Make MDE aware of violations and make sure it comples compliance.

Contact community/parent advisory groups in school districts receiving state bilingual education funding and work with these groups.

III. Goal 3: Impact Litigation

Wherever necesary, La Oficina Legal should aggressively represent the client community through court action.

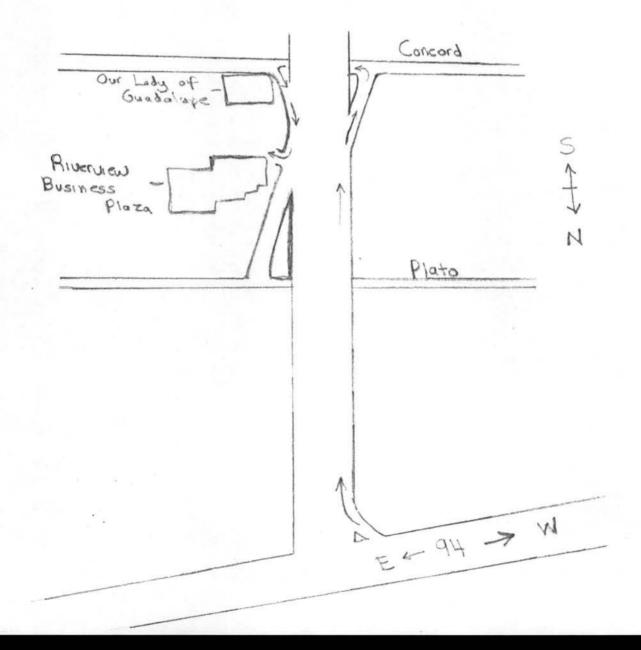
Objective 1:

Force the Minnesota Department of Economic Security to provide information regarding unemployment compensation to Spanish-speaking persons by means of Spanish-language materials handouts, signs, publicity and personnel in all offices.

The Riverview Business Plaza is located less than 1/2 mile from Our Lady of Guadalupe Church, off the Lafayette Freeway (Hwy 3) between Concord and Plato.

From Minneapolis: Take 94 East to the Lafayette Bridge Exit and exit at Concord. Turn left and go under the bridge, turn left at the light and head north on Lafayette. Take the first exit at Plato. The office building is the closest one to the frontage road.

From the West-Side: Enter the Lafayette Freeway at Concord and take the Plato exit.



PROPOSAL TO CENTRO LEGAL, INC.

Submitted by:

Management Support Services Amherst H. Wilder Foundation

September 18, 1984

PROPOSAL TO CENTRO LEGAL, INC.

INTRODUCTION

In a meeting on September 9 Don Vargas noted that the Board of Directors of Centro Legal is interested in a day of board training which would focus on the responsibilities of board members and how the board and staff can best work together to accomplish Centro Legal's mission.

Centro Legal would like the assistance of Management Support Services in planning and conducting this training session. As we understand, the training would likely be held on a Saturday in January. In addition to board members, several key staff may attend the session.

An objective, work plan, and budget for the training session are outlined below.

PROJECT OBJECTIVE

Plan and conduct a one-day training session for Centro Legal board members and key staff that will:

- Identify current strengths and weaknesses in how the board currently functions
- Identify target areas for change or improvement
- Clarify the responsibilities of Centro Legal's board members
- Provide an opportunity for board members and staff to get better acquainted.

WORK PLAN

Ste	eps	Responsible	By When
1.	Get agreement on project objective and work plan.	Don Vargas Irene Gomez-Bethke Michael Groh	
2.	Prepare an agenda for the training session.	Michael Groh	
3.	Review the agenda and make needed changes.	Don Vargas Irene Gomez-Bethke Michael Groh	
4.	Conduct a one-day training session (9:00 - 3:00) which will cover:	Michael Groh Board Key Staff	
	 The legal responsibilities of nonprofit board members 		
	 Strengths and weaknesses in current board functioning 		
	 Target areas for change or improvement 		
	 The specific role and responsibilities of Centro Legal's board 		
	 Board versus staff responsibilities 		
	 Next steps 		
v	• Social time.		
5.	Summarize results.	Don Vargas Michael Groh	
6.	Carry out plans.	Board	

COSTS

Michael Groh: 14 hours @ \$55.00 per hour = \$770.00

REPORTS

Management Support Services will provide:

1. Training materials for board members and staff.

Management Support Services and Centro Legal will jointly develop:

- 2. An agenda for the training session.
- 3. A summary of the session.

BILLING

Management Support Services will submit monthly invoices to Centro Legal which outline time and charges to date. Charges will not exceed the total project budget (\$770.00) unless both parties agree to changes. Consultant hourly rates may change over the course of the project. Either Centro Legal or Management Support Services may terminate this project with ten (10) days' written notice.

AUTHORIZATION TO PROCEED

Irene Gomez-Bethke Chair	Date	
Board of Directors, Centro Legal, Inc.		
Don Vargas Administrator Centro Legal, Inc.	Date	
Michael Groh Senior Consultant Management Support Services	Date	

MICHAEL GROH

PROFESSIONAL EXPERIENCE

PROFESSIONAL EXPER	(IENLE
1977 - present	SENIOR CONSULTANT, Amherst H. Wilder Foundation, St. Paul, Minnesota.
	Organizational development, management consultation, finance and business analysis, long-range, strategic and short-term planning, staff and board development, and creative design services for nonprofit organizations.
1976 - present	FACULTY, Metropolitan State University, Twin Cities.
	Teaching, student competency assessments, degree planning, career counseling, vocational guidance and referral.
1974 - present	PRIVATE CONSULTANT, North America (see page 4).
1973 - present	CONSULTANT, Whitney Foundation, Minneapolis, Minnesota.
	Design, development and technical assistance for innovative programs, models and business ventures addressing major social problems. Research, assessment and decision-making regarding grant applications and investment opportunities.
1974 - 1977	PRESIDENT AND FOUNDING PARTNER, Phase V Associates, Minneapolis.
	Human resource development business.
1974 - 1977	DESIGN AND ORGANIZATIONAL SPECIALIST, Freedomfest '76, Minneapolis.
	Large-scale celebration, film and cultural experiment.
1972 - 1974	FACULTY, University of Minnesota, Minneapolis.
	Ten-state-wide training and community development project.
1969 - 1972	DIRECTOR AND CO-FOUNDER, Youth Emergency Service (YES), Minneapolis.
	Multi-service, 24-hour crisis center.
1967 - 1970	ADMINISTRATOR, STUDENT PERSONNEL, United Theological Seminary, Twin Cities.

Nationwide speaking, public relations and student support.

EDUCATION

Post-graduate work - University of California, 1972-1974 University of Minnesota, 1968-1969

Masters (with honors) - United Theological Seminary, Twin Cities, 1969.

Bachelors - Hanover College, Hanover, Indiana, 1965.

SKILLS

- Project conceptualization and management
- Meeting, retreat and conference design and facilitation
- Long-range and strategic planning
- Board/staff relations and empowerment
- Cross-cultural communications
- Time management diagnosis and training
- Celebration design and delivery
- Community and organizational development
- Leadership training and support
- Prevention and promotion design
- Financing, marketing and business creation
- Management and staff consultation and development
- Wilderness/nature utilization
- Writing, editing and distribution
- Fundraising and resource development
- Network and coalition strengthening

PUBLICATIONS

"Perspectives", Abuse, University of Minnesota, 1974.

Adult Education Models, Kansas State Department, 1975.

Kansas Drug Abuse Resources, Kansas State Department, 1975.

"Prevention: How to Pay For It", University of Wisconsin, 1981.

A Community Development Approach to Building a Parents Anonymous Chapter, Wilder Foundation, 1981.

"Last Ditch Strategies", Process Policies, University Associates, 1981

Chairing a Parents Anonymous Group, Wilder Foundation, 1982.

Sponsoring a Parents Anonymous Group, Wilder Foundation, 1982.

PUBLICATIONS, continued

Cimarron, I'm Involved: Community Development and Family Strengthening, 1982.

"Prevention in a Natural Setting", Wilder Foundation, 1982.

And developmental work with films, tapes, manuals, training and diagnosis materials, proposals and music.

PROFESSIONAL OBJECTIVES

To build upon and enhance my skills in the development of innovative and cost-effective approaches to social and organizational problems.

To increase my expertise in business planning, marketing and revenue generation for nonprofits and small businesses.

To emphasize positive, preventive strategies for long-term change and issues resolution.

PRIVATE CONSULTATION

Current consulting clients include:

Anchorage Child Abuse Board, Alaska
Donated Food Action Council and Emergency Food Shelves
Hmong Refugees of Minnesota
McGill University, Quebec, Canada
Minnesota Council on Health
Minnesota Environmental Science Foundation
Minnesota Literacy Council
National Committee for the Prevention of Child Abuse, Chicago
Parents Anonymous of Minnesota
Southside Family Nuturing Center, Minneapolis

And small businesspeople in Kansas, Wyoming, Alaska, California, Washington and Minnesota.

From 1974 to the present my consultation with organizations, groups and individuals has included:

Business

Cimarron, Minnesota
Control Data, Minnesota
Copeland Trust, Minnesota
E.G. and G. Electronics, Nevada
Femme Films, Minnesota
Honeywell, Minnesota
Human Development Seminars, Minnesota
Learning Programs of America, Minnesota
Nobell, Minnesota
Northwest Arctic Native Corporation/Rural Ventures, Alaska
Onsite, Minnesota
The Growth Exchange, Minnesota

Government

Alaska Department of Alcohol and Drug Abuse
Kansas Social and Rehabilitative Services
Minnesota Department of Corrections
Minnesota Department of Public Welfare
Legislative Outreach, Minnesota Governor's Bill
U.S. Army, Fort Riley, Kansas
Washington, D. C. Department of Health and Human Services
Wyoming Department of Probation and Parole
Wyoming and Minnesota Legislative Campaigns

3. Higher Education

Kansas State University
Mankato State University
Regis College, Colorado
St. Mary's College, Minnesota
University of Michigan
University of Minnesota
University of Wyoming
Wooster College, Ohio

4. Human Services

Alaska Court Diversion Project Department of Indian Work, Minnesota Edina Citizens Task Force, Minnesota Family Connection, Alaska Johnson Institute on Alcoholism, Minnesota Juel Fairbanks American Indian Chemical Dependency Services, Minnesota Minneapolis Federation of Alternative Schools Minneapolis Urban League Minnesota Multiple Sclerosis Society Montana Youth Development Project Multi-Cultural Awareness Coalition, Minnesota Neighborhood Housing Services of St. Paul Rhode Island Family and Children's Service Rochester, Minnesota Family Violence Task Force S.E. Wyoming Mental Health Center Spanish Speaking Senior Citizens Program, Minnesota Texas Parent-Teachers' Association

Michael can be reached at either:

Management Support Services Amherst H. Wilder Foundation 919 Lafond Avenue St. Paul, Minnesota 55104 Telephone: 642-4025 2444 - 37th Avenue South Minneapolis, Minnesota 55406 Telephone: 721-7130 Higher Grounds

A new column on Supreme Court and Court of Appeals action

BY PAUL McENROE

awyers who have clients with chemical dependency problems were given this message in recent weeks from a decision by the Minnesota Court of Appeals: They should strongly urge their clients to make every effort to attend aftercare programs or else inform their clients that they risk the strong chance of losing unemployment benefits.

The court affirmed a decision by the Minnesota Department of Jobs and Training that a person could be discharged from his job if, in reporting to his job intoxicated and in violation of his employer's work rules, he failed to make reasonable efforts to retain his employment by choosing not to attend an

aftercare program. Allan Umlauf sought a review of a ruling by the department that he was not entitled to receive unemployment compensation, claiming he was discharged due to his alcoholism. Umlauf, who had a history of alcohol problems that included a conviction for drunk driving in 1980, was fired in Dec. 1985 when he reported to work drunk.

In May, 1985 he was ordered by his employer, Gresen Manufacturing, to go to inpatient chemical dependency treatment or else be fired. He successfully completed the program and his counselors recommended he go to an aftercare program and attend AA meetings weekly. He attended the meetings but decided not to go to aftercare, and by November 1985 he began drinking again. On Dec. 13, 1985 he was discharged from work after he showed up drunk.

The question before the court was whether Umlauf was discharged "due to" his chemical dependency and whether Umlauf made "reasonable efforts" to retain his employment. Chief Judge Peter Popovich wrote the

opinion, noting first that state law provid that unemployment compensation benefits may be granted to a person if he is discharged from his job due to chemical dependency.

The judge also noted the exception to that provision which states, "This exception indicates a legislative intent to include as misconduct behavior which results from illness, even though the employee has not con-

trol over the illness."
In the Sept. 16 affirmation, Popovich wrote: "There is no doubt Umlauf's behavio of reporting to work intoxicated constitutes misconduct because that behavior was in violation of Gresen's work rules. Nonethele if Umlauf's behavior was due to chemica dependency and he made reasonable effort to retain his employment, he should receive unemployment compensation benefits.

The judge observed that Umlauf claime the department's referee erred by determining he did not make reasonable efforts to retain

his employment. "Although the statute does not require an individual totally abstain from alcohol of achieve total success in treatment, the in dividual must make consistent efforts to core trol his illness," the judge said, citing Leslin v. County of Hennepin, 347 N.W. 2d 277, 279 (Minn. 1984).

The judge said the record revealed that Umlauf made "some effort" to control his alcoholism, "however, he did not attend an aftercare program. There is evidence in the record Umlauf knew, and had been profe sionally advised, the aftercare program would have been beneficial. This evidence supports the Commissioner's determination [that] 'consistent efforts' should have included attendance at an aftercare program.' Umland v. Gresen Mfg. et al, Department of Jobs and

Aliens' Compensation

Juana Flores is a Mexican citizen who was caught by the slow-moving bureaucracy of

the U.S. Immigration and Naturalization Service. It cost her time and money until the Minnesota Court of Appeals ordered a reversal on an unemployment benefits decision by the state that had denied her unemployment compensation.

The court ruled in her favor and the decision served as an important ruling on the work rights of aliens.

In 1982 the INS granted Flores, a cook in a Minneapolis hotel, "voluntary departure status," and through November of 1984 she was given extensions of that status. While she was receiving those extensions, she was attempting to obtain immigrant status. Finally in June, 1984, her petition was granted and she traveled to Mexico in order to pick up her much sought-after visa.

That's when her legal troubles really began because she found herself stranded there for a time. On Jan. 4, 1985 proceedings began for her to be paroled back into the U.S. on humanitarian grounds with a departure date in early February. However, the terms of the parole did not authorize employment. And that later proved to be a big part of the

While she waited for the consulate in Mexico to call her name on the list of future immigrants, Flores kept seeking extensions of her departure date. No extensions were granted, however, the INS did not take any steps to deport her or rush her departure.

She applied for unemployment compensa-tion effective Jan. 6, 1985 and was granted benefits. However the Minnesota Department of Jobs and Training later said Flores was ineligible to receive the benefits from Jan. 6, 1985 through Nov. 16, 1985 because she had not received employment authorization from the INS. She was therefore "unavailable" for work. She appealed and after hearing her case, the court decided that Minnesota's law requiring that aliens present proof of authorization to work as a prerequisite to receiving unemployment benefits was invalid.

The issues before the court were: Did Flores perform services during her base period while "permanently residing in the United States under color of law?" Was she "available for work" during the period of her unemployment and was she required to present proof of authorization to work in order to be available for work?

The court cited the fact that the state Supreme Court has indicated that whether an individual is "available for work" must be

determined on the specific facts of each case.
The court said: "In the present situation, the legislature specifically addressed aliens' legal qualifications for benefits (Sec. 268.08, Subd. 8) and to construe the availability provision of the statute would stretch the definition of 'availability' beyond its intended bounds."

The court concluded in a Sept. 16, 1986 decision that the term "available" refers to an individual's willingness to accept work, and did not require Flores to be authorized to work. She was granted unemployment compensation. Flores v. Dept. of Jobs and Training.

Pay Raises and Child Support-More Money, More Payments?

A Sherburne County Judge erred when he failed to make specific findings required under case law whenever child support modification issues are involved. Because of that, the Court of Appeals ordered the case be remanded. Even though all the facts were right, it boiled down to the failure of the judge to take an adequate look.

March 13, Nancy Jean Berg, respon-

and awarded custody of their three children. The two oldest kids were her children and ere adopted by Richard Berg following the marriage. In the original divorce decree, it was ordered that Richard Berg pay child support of \$145 per month per child until each reached the age of 18 (initially \$435 a month with pro rata reduction per child). One child is not 18. Another child, a boy, is mentally retarded

Last October, Nancy Berg asked Sherburne County Court Judge Kim Robert Johnson to increase child support to about \$516 per month and to order her ex-husband to continue to pay support for her oldest daughter until she graduates from high school, even though she would turn 18 prior to graduation. Mrs. Berg also asked the court to order her ex-husband to continue child

> Sherburne County Judge erred when he failed to make specific findings required under case law whenever child support modification issues are involved.

support for their mentally retarded son past his 18th birthday. She claimed high expenses forced her to take this action.

Richard Berg is a Minnesota State Trooper and his income at the time of the decree was \$1,246 a month. It is currently \$1,721 per month. He remarried in 1983 and his spouse doesn't work. The court found his net income had actually increased 34.5 percent since entry of the original decree. Nancy Berg is still single, was unemployed and at the time of her divorce was receiving \$480 per month in Aid to Dependent Children. She currently

working and nets \$533 a month. At a Nov. 25 hearing, the court found that Richard Berg had had a substantial increase in income which made the terms of the decree "unreasonable and unfair."

The Sherburne District Court Judge increased child support to \$516 per month and denied Mrs. Berg's motion to continue child support for her daughter until graduation She also withdrew her motion for continued support for the parties' retarded son past his emancipation.

Richard Berg appealed the ruling. He con-tended that his income has not increased



Gravure Engraving Ca possesses the full range capability and craft to give your corporate stationery an image of distinction and success.

Because the first impression is an invaluable asset, right down to your business card.

ENGRAVING . EMBOSSING FOIL STAMPING THERMOGRAPHY DIE CUTTING • PRINTING

the Gravure Engraving Co.

CENTRO LEGAL, INC. ADMINISTRATORS REPORT 10-23-86

- 1. Attached are drawings and proposed modifications of office space available at BOYD PLACE 2929 4th Ave. So. Minneapolis, Suite M. This office space is available November 1, 1986 and coincides with the termination of our current lease arrangements at U WAREHOUSE 400 East Lake St.
- 2. The lease arrangements call for the porposed cost of the modifications to be prorated and included in the monthly occupancy charges.

MAIN FLOOR:

436 Sq. Ft. X \$9.00 = \$3,924. (\$327. per month)

LOFT AREA:

189 Sq. Ft. at N/C

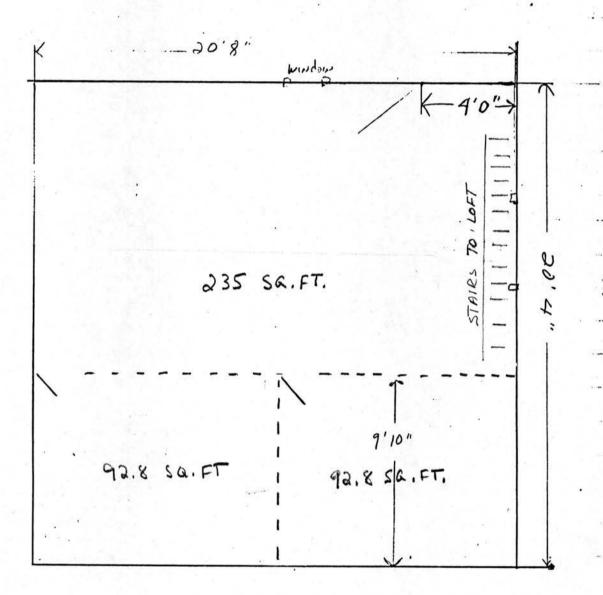
UTILITIES:

Lights and Heat at N/C

Respectfully

Bonn J/ Vargas Administrator

1/4



Brick Wall

MAIN FLOOR AREA

189 S&, FT.

LofT ArEA

Mude this 18th day of October

by and between

PATRICIA J. JORDAN d/b/a U WAREHOUSE

part y of the first part, Lessor , and

CENTRO LEGAL, INC.

part y of the second part, Lessce ;

19 85

WITNESSETH, That the said part y of the first part, in consideration of the rents and covenants hereinafter mentioned, does hereby demise, Lease, and Let, unto the said party of the second part, and the said part y of the second part does hereby hire and take from the said party of the first part, the following described premises, situated in the County of HENNEPIN and State of Minnesota, viz:

Approximately 630 square feet located at 402 E. Lake Street, Minneapolis, MN.

Landlord agrees to build 2 interior office spaces and will pro-rate the cost of materials, payable by Tenant, over a 12 month period, to be added to the monthly rental cost.

Tenant shall have a two year option to renew this lease at terms to be negotiated at the expiration of each lease period.

To Have and to Holo, The above rented premises unto the said Lessee, heirs and assigns, just as they are, without any liability or obligation on the part of said Lessor of making any alterations, improvements or repairs of any kind on or about said premises, for and during the full term of One year from and after the 1st day of November 1985 for the following purposes, to-wit:

to conduct the usual and customary business affairs of a law office

And the said Lessec agrees to and with the said Lessor to pay as rent for the above mentioned premises the sum of Three Thousand Three Hundred Twenty Six & 40/100 (\$3,326.40)—————Dollars,

Payable in monthly installments of: Two Hundred Seventy Seven & 20/100 (\$277.20) at the offices of U Warehouse, 400 E. Lake Street, Minneapolis, MN 55408.

The payment plan for the interior rennovations shall be as follows: November 1, 1985 through September 30, 1986: Each rental payment shall be \$277.20 plus \$28.08 (\$\$305.28) and the 12th and final payment will be due October 1, 1986 as follows: \$277.20 plus \$28.18 (\$305.38),

for and during the full term of this Lease,

And it is further agreed by and between the parties as follows: That should the said Lessec fail to make the above mentioned payments as herein specified, or to pay the rent aforesaid when due, or fail to fulfill any of the covenants herein contained, then and in that case it shall be lawful for the said Lessor to re-enter and take possession of the above rented premises, and hold and enjoy the same without such re-entering working a forfeiture of the rents to be paid and the covenants to be performed by the said Lessee for the full term of this Lease.

And the said Lessee also covenants and agree s to and with the said Lessor not to assign the Lease or underlet the above rented premises or any part thereof, without first obtaining the written consent of the said Lessor , and that they will, at the expiration of the time as herein recited, quietly yield and surrender the aforesaid premises to the said Lessor , her, heirs and assigns, in as good condition and repair as when they took them, reasonable wear and tear and damage by the elements alone excepted.

And the said Lessors do covenant that the said Lessee , on paying the rent and performing the covenants aforesaid, shall and may peaceably and quietly have, hold, and enjoy the same demised premises for the term aforesaid.

RESOLUTION

- Whereas, United Southeast Asian Mutual Assistance Association, hereinafter referred to as USEAMA, is a community-based organization whose fundamental goal is to provide social services and other supportive services to the low-income Asian community of Hennepin County and ajoining counties; and
- Whereas, Centro Legal, Inc., is a legal services provider providing services to low and middle income spanish-speaking peoples; and
- Whereas, both organizations believe it to be in their best interest to work cooperatively in providing increased legal resources to the low-income Asian community member in Hennepin County and Ramsey County;

nty;

Now, therefore, be it resolved as follows:

- 1. That joint funding proposals shall be submitted by the two organizations for one attorney position, one community worker/paralegal position, and one law student clerk, said staff to work out of Minneapolis office of Central Legal and provide legal services to low-income and low middle-income Asian Minnesotans in Hennepin County and surrounding counties.
- That such services shall consist of general civil representation with an emphasis in areas of immigration, family law, consumer law.
- That these services shall be provided through multi-lingual staff persons.
- 4. That Central Legal, Inc. shall be the service provider, but in order to facilitate outreach in the Asian community, as well as community input, Central Legal shall develop an advisory board of interested Asian community members, and shall reserve one board position for a member from the Asian community.

DOCUMENT TRANSLATION FEE SCHEDULE

Birth Certificates	3	Siz	<u>e</u>						Fe	<u>e</u>
Form document Typed document Handwritten document	87		1			1:	0.0 5.0	00		document
Form document Typed document Handwritten document	8%		1			2	5.0	00	"	document "
Marriage Certificates										
Form document Typed document Handwritten document	8½	×	1			15	5.0	0	per "	document
Form document Typed document Handwritten document	8½		1 "			20	0.0	0	per "	document
Death Certificates										
Form document Typed document Handwritten document	8%	x	1 "	1			.0	0	per	document "
Form document Typed document Handwritten document	8½	x	14	1		15 20 25	.0	0	per "	document "
Divorces	i i									
**	8½ 8½	X X	11			15 20	.0	0	per	page "
Police Letters	any	s	i z	e	×	15	.0	0	per	page
Cartillas (Military Cards)							ľ			
W/ no military attachment W/military attachment	12			size size		10 15	.00)	per	document
Letters		a n	у	size		15	. 0 ()	per	page
All Other Documents		an	у	size		25	. 0 r)	ner	hour

REPORT from Sue Cowley (EXEC. DIRECTOR)

7-10-86 Report of Statistics

1985	*	198	1986		
JA101 - JU	NE 30	JAN 1 - JU	INE 30		
OPENED:	51	opened:	199		
ole:	71	ole	188		
neget :	47	REJECT	51		
closed:	33	CIOSEO	93		

new client contacts 169 8.5 new clients/month new client contacts: 438

opened: 30
olc: 12
REJECT: 81
closed: 28
new client contacts: 183
30.5 new clients/month

1985	1986 (JAN-JUNE)			
OPENED: 81	opened 199			
OC: 143	olc 188			
Reject: 128	REJECT 51			
closed: 61	CLOSED 93			
new client contacts: 352	now client contacts 438			
29.3 new chents/mo.	73 new clients/mo.			

Centro Legal, Inc. Asian Legal Project Status Report 4-15, 5-19, 7-3

Participants: Reverand Sunthipaul C. (Pillsbury United Neighborhood Services, Inc.) and Donn J. Vargas (Centro Legal).

1. To date all discussions have been about the legal needs of the Asian community of Hennepin County. Reverand Sunthipaul has been able to identify specific areas that should be addressed first in order to have the greatest impact.

* Housing complaints,* Consumer complaints,

* Employment discrimination, and

* Immigration needs.

2. As we are in the developmental stages of this project, staffing is yet to be determined. However, the consensus is that we would probably not be able to justify the need for a staff attorney without some hard data. Therefore, discussion has centered around the type of staff person that would be the most oppropriate.

* Option 1 -Paralegal
Education level-Undergraduate degree in pre-law, Human
services or Public affairs.

Experience -At least 3 years in the Human Service
field.
Language -Fluent in Laotion, Hmong and English

Salary range -\$15,000-17,000 annually

* Option 2 -Community Worker Education level-High School Diploma (acceptable if issued in South East Asia).

at least 3 years work experience in the Human service field.

Language -Fluent in Laotion, Hmong and English Salary range -\$14,000-16,000 annually

3. In order to aid in the development and monitoring of the Asian legal services, it is suggested that an advisory committee be established. This committee should include local representatives from the client base to be served as well as representatives from the legal services field. The committee should;

* Contain at least 5-7 people, * Be and advisor to the Board of Directors, and * Have 1 representative on the Board of Directors.

We anticipate a completed draft/outline of the services and staffing needed to address the Asian legal needs by the November Board meeting.

It is our understanding that we have the approval to start formal planning for budget adjustments to be effective in 1987. If there are any adjustments in planning we would appreciate the necessary input prior to October.

R/espectfully

Administrator

JOB DESCRIPTIONS FOR KEY PARTICIPANTS

ALLOCATIONS VOLUNTEER JOB DESCRIPTION

PROGRAM LIAISON JOB TITLE:

OVERVIEW OF FUNCTIONS:

The primary responsibility of program liaisons is to observe, report and evaluate assigned programs with the goal of making objective assessments and funding recommendations according to the United Way Program Assessment System.

GENERAL RESPONSIBILITIES:

Volunteer Term = 36 months, April - October. Three terms with same Stryy 10 3 agency and then must rotate.

Program Liaison should:

- Act as the principal link between United Way and assigned programs.
- Conduct a comprehensive and aggressive examination of assigned programs.
- Read all written materials on assigned programs.
- Follow established agency protocol, make site visits to assigned agencies and their programs.
- Develop and maintain regular communications with assigned agencies and their programs.
- Report to the team and panel.
- Be fair and unbiased. Avoid advocating for or against an agency's position. 0
- Base all recommendations on United Way's funding criteria and procedures.
- Participate in all decision making of the team and panel. 0
- Attend all panel and team meetings.
- Have no conflict of interest with assigned agencies/programs.

SPECIFIC DUTIES AND RESPONSIBILITIES:

Program Liaisons should:

- Complete Steps 2, 3, and 4 of the Program Assessment System for each assigned 0
- 0 Identify program/agency issues, concerns and expectations.
- Attend at least one agency board of directors meeting.
- Monitor and record progress made by agency in addressing issues and concerns 0 raised in the Allocations Letter, Letter of Expectations and Status Reports.
- Make at least two site visits to assigned programs.

RESPONSIBILE TO: Team Leader

ESTIMATED TIME COMMITMENT:

Team and Panel 6 meetings = 20 hours = 8 hours Training 3 meetings Preparation 12 hours Site Visits 20 hours Total Estimated Time 60 hours

LOCATION OF ACTIVITIES:

Activities will generally take place at the assigned agencies, the United Way Center and other designated sites.

ALLOCATIONS VOLUNTEER JOB DESCRIPTION

JOB TITLE: ACCOUNTING LIAISON

OVERVIEW OF FUNCTION:

Interpret agency's budget and financial condition to Team/Panel.

GENERAL RESPONSIBILITIES:

Volunteer term - 36 months, April - October. Three terms with the same agency and then must rotate.

Accounting Liaisons should:

Attend team and panel meetings.

- o Follow established agency protocol when making site visits at your assigned agency(ies). Develop and maintain regular communication with agency financial personnel.
- o Have knowledge and understanding of assigned agency(ies) financial information.

Participate in decision-making of the team and panel.

O Be fair and unbiased. Avoid advocating for or against an agency. Base recommendations to agencies on United Way's funding criteria and procedures.

SPECIFIC DUTIES AND RESPONSIBILITIES:

Accounting Liaisons should:

Help team members compare program activities to program costs--specifically for new and expanded programs.

o Identify fiscal questions needing additional information by the agency. Follow up on these questions with the agency for clarification through a visit or in writing as a part of the status letter.

Bring unresolved issues to team's attention by July 1st.
 Have no conflict of interest with assigned agency(ies).

O Have knowledge of the AICPA Industry Audit Guide - Audits of Voluntary Health and Welfare Organizations.

RESPONSIBLE TO: Team Leader

ESTIMATED TIME COMMITMENT:

 Team and Panel
 6 meetings
 = 20 hours

 Training
 4 meetings
 = 10 hours

 Preparation
 12 hours

 Site Visits
 10 hours

 Total Estimated Time
 52 hours

LOCATION OF ACTIVITIES:

Activities will generally take place at agencies, the United Way Center or other designated areas.

ALLOCATION VOLUNTEER JOB DESCRIPTION

JOB TITLE: TEAM LEADER

OVERVIEW OF FUNCTIONS:

Team Leaders have the responsibility to coordinate and manage team activities with the goal of promoting objective and substantiated allocations decisions and program assessments.

GENERAL RESPONSIBILITIES:

Term of Office - 12 months, March - February. Renewable for three terms.

Team Leaders should:

Monitor performance and activities of program and accounting liaisons and intervene where appropriate.

Coordinate and direct team members activities, including site visits.

Insure quality control regarding interpretation and implementation of United Way policies and procedures, funding decisions and program evaluation and assessment according to the Program Assessment System.

Direct and manage Team communications with assigned agencies.

Be fair and unbiased. Avoid advocating for or against an agency's position.

Base all recommendations on United Way's funding criteria and procedures.

SPECIFIC DUTIES AND RESPONSIBILITIES:

Team Leaders should:

Moderate all team meetings and represent team at panel meetings.

Make program review assignments for Team members. 0

Develop the following documents for assigned agencies: -Agency/Program Status Report -Allocations Letter

Monitor team site visits and insure that assigned programs are effectively reviewed according to the Program Assessment System and that reports on the status of agency programs are of high quality and submitted on a timely basis. Intervene when appropriate.

Act as the principal link between the panel and assigned agencies, their programs and their board of directors.

Review agency management according to the Program Assessment System. 0 Negotiate, develop and record closure on agency issues and concerns.

Train and develop program liaisons when appropriate. 0

Advance team program quality assessments and funding recommendations to the panel. 0 0

Promote a comprehensive and aggressive examination of assigned agency programs. Demonstrate interpersonal, organizational, leadership skills and abilities.

RESPONSIBLE TO: Panel Chairperson and Vice Chairperson

ESTIMATED TIME COMMITMENT:

Team and Panel	6 meetings	= 2	0 hours
Training	3-4 meetings		8 hours
Preparation			2 hours
Reviewing Communic	ations		2 hours
Site Visits for Ma	nagement Review		5 hours
Total E	stimated hours	65-1	57 hours

LOCATION OF ACTIVITIES:

Activities will generally take place at the United Way Center, at assigned agencies and at other designated sites.

ALLOCATIONS VOLUNTEER JOB DESCRIPTION

JOB TITLE: PANEL CHAIRPERSON

OVERVIEW OF FUNCTIONS:

Organize and manage functions of three teams on panel with special attention to consistent application of process and standards and objective and strong justification for funding decisions.

GENERAL RESPONSIBILITIES:

Term of Office = 12 months, March - February. Renewable for three years.

Panel Chairpersons are responsible for activities at three levels of the Allocations Process. They:

Represent panel on Allocations Committee. (Level 1)

Manage Panel communications and chair panel meetings. (Level 2) 0

Monitor the activities and performance of panel teams and their volunteers and intervene where appropriate. (Level 3)

Be fair and unbiased. Avoid advocating for or against an agency's

position without presenting complete information.

Base all recommendations on United Way's funding criteria and procedures and insure that these procedures and criteria are followed by panel members.

SPECIFIC DUTIES AND RESPONSIBILITIES:

Panel Chairpersons should:

- Attend all Allocations Committee, panel and selected team meetings.
- Serve as member of the Allocations Committee and fairly represent 0 panel recommendations to the Allocations Committee.
- Communicate all Allocations policies and procedures to panel members. 0

Appoint team leaders and assign panel members to liaison teams. 0

- Direct panel decision making process according to United Way funding 0
- criteria based on priority system and evaluation.
 Review selected agency and panel staff reports and team generated 0 Expectation and Allocation Letters and Status Reports.

0 Moderate all panel meetings.

Demonstrate inter-personal, organizational, leadership skills and

Have knowlege of United Way policies and procedures. 0

Have knowledge of the basic principles and practices of United Way evaluation and priorities.

RESPONSIBLE TO: Allocations Committee Chairperson

ESTIMATED TIME COMMITMENT:

Allocations Committee	12	meetings	= 25	hours
Team and Panel		meetings	= 25	hours
Training	4	meetings	= 8-10	hours
Preparation			30	hours
Reviewing Communications				hours
Total Estimated	Timo		118-120	hours

LOCATION OF ACTIVITIES:

Activities will take place at the United Way Center and at assigned Agencies.

ALLOCATIONS VOLUNTEER JOB DESCRIPTION

JOB TITLE: ALLOCATIONS COMMITTEE CHAIRPERSON

OVERVIEW OF FUNCTIONS:

The Chairperson of the Allocations Committee has the responsibility to direct and monitor the distribution of funds raised through the United Way's annual campaign with the goal of funding the most effective and efficient programs.

GENERAL RESPONSIBILITIES: The Chairperson of the Allocations Committee

- o Represents the Allocations Committee on the United Way's Board of Directors and Planning, Allocations and Evaluation Committee.
- O Directs and monitors the overall Allocations Process, including the Allocations Appeals Process.

o Develops and interprets allocations policies.

o Recommends and administers funding goals and guidelines.

Maintains and facilitates communications between the Allocations Committee, the Council of Agency Executives and agency boards of directors.

o Reviews and evaluates process and procedures.

SPECIFIC DUTIES AND RESPONSIBILITIES: The Chairperson of the Allocations Committee should:

Moderate all Allocations Committee meetings.

- O Attend all Allocations Committee, Board of Directors, and Planning, Allocations and Evaluation Committee meetings.
- Manage Allocations Committee communications, including the development and distribution of special reports.
- Monitor the performance of Allocations Panels and Liaisons Teams and intervene when necessary.
- Communicate allocations policies and procedures to Allocations Panels and other appropriate bodies.
- O Direct the Allocations Committee decision making process according to United Way funding criteria based on priority system and evaluation process.
- o Appoints Panel Chairpersons and Vice Chairpersons and monitors their performance.

RESPONSIBLE TO: Chairperson of Planning, Allocations and Evaluation Committee.

TIMELINE: Term of Office: 12 months, March - February.

Allocations Committee Chairperson should attend Allocations Committee, Planning, Allocations and Evaluation Committee and Board meetings as scheduled throughout the term of office.

Estimated Time Commitment:	Allocations Committee CAE & Planning	12 meetings 9 meetings	=35 hours =25 hours
	Planning, Allocations & Evaluation Committee	11 meetings	=20 hours
	United Way Board Preparation Time	9 meetings	=14 hours 50 hours
	Other Presentations & Meeti		26 hours

Allocations Committee Chairperson should also attend and/or participate in one training session at each phase of the process: Volunteer Orientation and Site Visit Training - April, Analysis and Decision Making Training - June.

LOCATION OF ACTIVITIES: United Way Service Center, participating agencies and other community sites.

ALLOCATIONS DEPARTMENT JOB DESCRIPTION

JOB TITLE: PANEL STAFF

OVERVIEW OF FUNCTIONS:

Panel Staff have responsibilities at all levels of the Allocations Process. Their primary functions are to assure that United Way priorities, policies and procedures are adhered to with the goal of assisting allocations volunteers in making objective and sustantiated funding decisions and facilitating communciations between assigned agencies and United Way.

GENERAL RESPONSIBILITIES:

o Provide staff assistance to panel and teams.

o Maintains direct working relationship with agencies.

o Develops, collects, organizes and summarizes information in preparation for panel/team meetings, mailings and reports.

o Maintains Central File on Agency/Programs.

o Assist panel/team members to identify issues and resolve these issues.

o Maintains equity in the Allocations Process.

- o Provides limited technical assistance to agencies and refers them to appropriate resources.
- o Assure that assigned agencies and programs establish and maintain a panel-approved program evaluation and reporting system.

SPECIFIC DUTIES AND RESPONSIBILITIES:

o Develop program data reporting system and format with agencies for volunteer teams.

o Develop Preliminary Program Status for all United Way funded programs.

o Make agency/program site visits and attend agency staff meetings.
O Prepare agenda and materials for all panel and team meetings.

o Prepare agenda and materials for all panel and team meetings.

O Analyze all reports and materials submitted by agencies and develop summarized reports for panel/team members.

o Produce written Status Report for panel agencies which highlight the Team's observations, issues and concerns about agency programs.

o Assist panel/team leadership in the development of workplans, calendars, panel organization.

o Produce Expectation Letter for panel agencies that highlights the Team's objectives for agency review during the allocations cycle.

o Produce Allocations Letter for panel agencies that describes program by program funding amounts and rationale for the funding decisions.

RESPONSIBLE TO: -Panel and Team Leadership

-Allocations Department Director

LOCATION OF ACTIVITIES:

Activities will generally take place at the United Way Center, at assigned agencies and at other designated sites.

ALLOCATIONS VOLUNTEER JOB DESCRIPTION

JOB TITLE: AGENCY MANAGEMENT

OVERVIEW OF FUNCTIONS:

Agency Management is responsible for carrying out service delivery as described in program descriptions and facilitating United Way review of those programs.

GENERAL RESPONSIBILITIES:

Agency Management should:

- o Have knowledge and understanding and adhere to United Way policies and procedures.
- o Communicate all relevant information to United Way in an accurate and timely fashion according to Program Assessment System.
- o Communicate United Way information to agency board of directors.
- o Maximize involvement of agency board of directors.
- o Carry through on issues identified in United Way Team's Expectation letter.
- o Assure accessibility of agency staff and records to United Way representatives.
- o Establish protocol for and facilitate site visits and advise volunteers of events (e.g., Board meetings, special events).
- o Assure the accuracy and completeness of program descriptions and program performance data.

SPECIFIC DUTIES AND RESPONSIBILITIES:

Agency Management should:

- o Maintain accurate and effective program performance and fiscal management information system.
- o Conduct regular and critical assessments of agency programs and processes.
- o Develop strategic and long range plans.
- o Maintain an aggressive and effective self-support system.
- o Redesign existing and develop new programs to meet changing community needs.
- o Submit accurate and timely reports to the United Way.
- o Maintain control over agency financial situation.

RESPONSIBLE TO: Agency Board of Directors

LOCATION OF ACTIVITIES:

Activities will generally take place at agencies or the United Way Center.

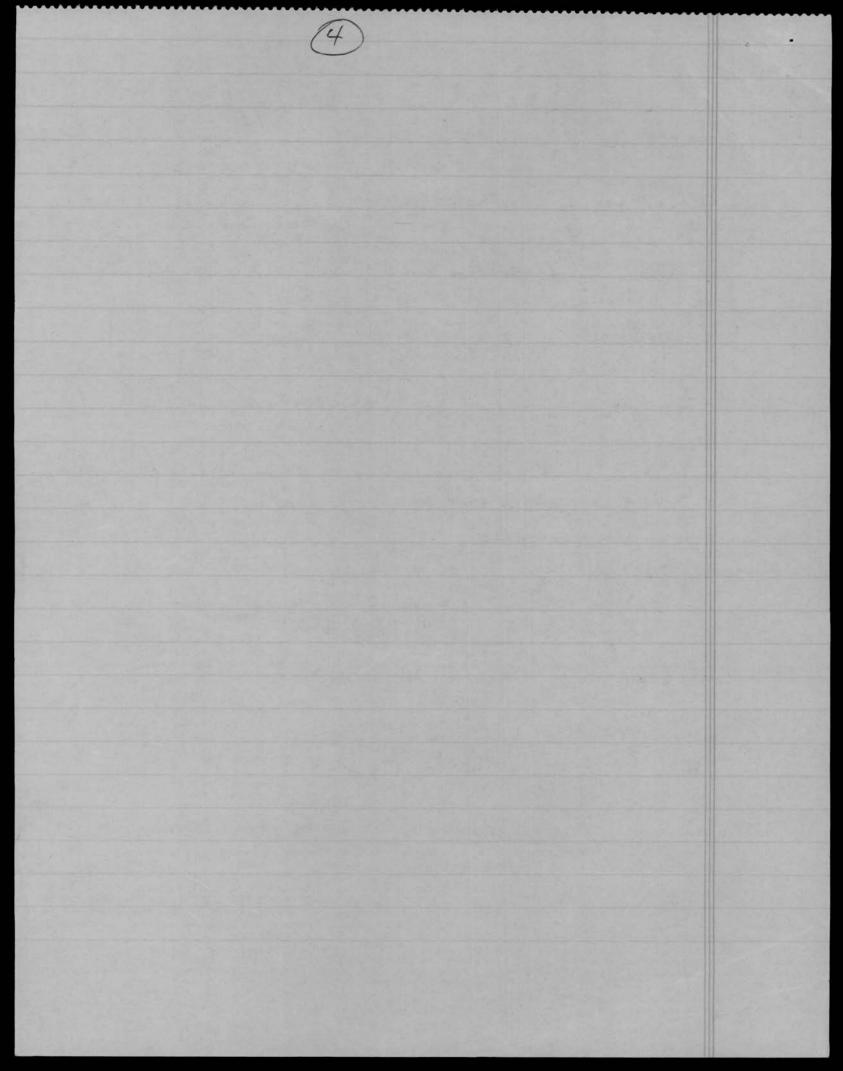
Stragic Planning Board - Stragic P. Com. - Steff Needs assissment Stragic Plan - Board / agency. Le Concus -1) New to Non profits 2.) short term (How do we do Then while process is occurring? 2. finamed time Education for Bd/approval. Pasatine - 10 L.T.A. Strust Occount

Board Staff Don Budget / Projections proposals demographies Finance Fund raising

Partnership tum Bldg. (Relationship) ground sule. (norma / Process) Roles / Responsibilities Collaboration & Mutual Problem Salving Stringge on the publish not selling the answer Fishing ideas Charing fulbach approximate & Precise Thinking toward Thinking Be opin about!

expectations / hopes frans / Concerns personal gras / muds not waiting or avoiding but make comething happen. Honest straightforward forward Use of Differences: heart of term work-Resources if identified funderstoad Include: role, prespectives, ability/Knowledge-Style / Materials Purpose of Partnership a guided work session - pronty issus understandingdidistifying issue and 1 Communications Why, how, when 2 Roen clarity Who will and who will not do what?
3 Trust / respect: critical to effect term: Pus / Ex Dir.
Pres: Ex Dir. Ex Dir. Dool orientation Full time career long haul focus on term orientated to change. adigusting to sach presfait time

Compile a list of losses Ruch 6 - top by importance paryency. (1-6) 1) funding 2) staff - to deliver services 3.) Revaluation of Mission of Agency (immegration) Dwelopment, Board / Steff on Role / Responsibility Train 5.) Pland Cettern Goals Objectives / Time line / Resources Strategie Planning - Needs assessment. Communication: 6, Communication a) develop a siptime b.) critimin - grid -Al Issues; 1. Credibility in 2. 2 affice St. Poul



(5) agency. Committees to establish

1) Fundraising (Estraba)

2) Problie Pelateins - TV Pray. Arterbs

Browning. missions Outreach to Community Education - workshops/Senius. Network of organizations maldef / Smeels. apple computers Summary What is Unfinished business? What down accomplish What down wont to do about portnuship re-How do we leverage what we have done today with others. Bol members, staff and voluntures

Sharing a.1.S. American Indian Suvicedished. 1. Research Client(5) wo programs. I gother data to support defense of 3. Cultural differences (barriers) 4. Others are not reaching or servicing Clients. 5. letters of support. 6. annual reports 1. general - 2.) corporate 7. 990 - report. Funde Paising account " * tund raising - managers for training United Way

Centro Legal Inc. Sponsored Com. Forum Ray Romero (Maldef exce din in 10th) Midwest Reg. office for MAIDET Sons Reform - 2 Therd - Themes 1800 -Chinese exclusion act. 1930 great depression - high un US15- Tabor (part of) Prichedup Ceputin Witharch -Economy No Complaints.
U.S after Vietnam 1980
Cronomi Crisins - Mid' 705 -I million refreque - 125 M Cubons
10-US- brat people coursed
ponie among U.S. Reagon = tight Sied
poling - deflunded
US. laid als jobs No herefits.

Refreques - get A Flatined hyptrice. Wefore- paying into system.

factual issues.

1. A.F. L. C. I.O. - supports this ligest to
Impressionishpusses wages working andilins

fen af Unemplayment. specifir encers. 1. Employer sonations - Undorumento Congress knows this. Sonator Simpson commissed GAO - Workat loves laws do not work = 1. Resources to enforce low - 2) Emplashed - andid We chang up front money on worker 3. What of busines who rely on undocumented worker. Dan Jan- Califa. Computors - Upple undocumented workers." Lighen way "eve an not going to be cost competitive. We will how to - towain Milio - Kadeno Bill: 1930 -Bill - annesty - young men granted animety to all who left country. No gustemed asked. Press calls it amousty it is a lighting elighte to apply - many steps in order to become a light resident. Does not Much most # 3- mly 590 at best. 2-6 million people - a few hundred Ms frank Disponer Com. - are awar un will not be good for us. Imate Versis Austr 1-1-1977 - Elizaber por resident

1980 - temp benefit residence status.

3 years - 6 up inclique to get benefits
temp 3 up. then apply beg
no benefits 6 yrs. of how: 1985 1976 - here for Byps - Kicking into sight yet not be able to get any benefits for 8 yrs. 1988 bufore any benefits. People will not have any protections. House runion - Icatagony House runion - Icatagory 1 excludes people of 5 years from herefits. More Barriers. 1. Khow English Parith & Suest Worker Program - WWTT Brazo Trog - Wartin agreement. U.S Dro- had responentility to one monitor pragram Inner City Rids to work in the prag. "Concentration comps." 20 yrs (Brazero And lund there) United Farm Workers - F. 1.O.C. There is nothing in United Farm work Ingut Central / Latin american Com. 5/M. Bis y 4 day time limit from day you cute Country - Freate atting - factual background asylven Supreme Court decision - Delyado rs. Immigration to conduct factory roads.

Produce your papers - Who him Kinpanius "
I employed - Brown People Only way o Inforce law - 1.D card
to work I Provision to verify Sor See -Card - What's bad about this. Consumer Goods - O.K. Cudit Chuch -We will not be able to a living, ful your family Efforts by Congress and by both Parties
Nazi Germany Status - Conference Committee. Put enough pressure to defeat Rill. annesty Program. "Legalization." Postponed untill after con. early august-D.F. Convention. Mahr it an issue > 4) Alternative Roybal atternation - No Com. Chaning - No House Hearing Does not have employen sometime. Penslige & Fair labor Alt: Greater resources to enforce to & order Patrice - Nat interior

Sal M Bill: A Canal / Stick 2) Timits on INS- authority (Peniel agents) 3.) Benefit proponies - Backlay 13 yes-in order to be considered today - #5 are unavailable. Outh Ch. Some annesty is good better than mannesty 1NS - 1st deaft - Many conservation policies. Proof of I.D. documentation of undocumented guarantees and the second of become of that against the No By putting annasty. U. S. Civil Rights 57 Black Congissional (>) Churches-Chicago-Coalitein against Senipson Mazzali Bill. Simpeon Maggali Bill; Names - Martin Silvo (+) AF.W.C10 Economic Soul Costs -Processo application & Voluntary agences.

Suppoens - Warrant - to prove amy documentation that

Morel - prostitution drugs - has been presented. Stribe Rights Was not because of ligislation Civil Rights— July 4th Much to protest

Pacism: Teledon- Forteen 500 Co. 6 dismissed until workers could can prove citizenship. 1-800-# to verify social security # drivers license but certificate.

CENTRO LEGAL, INC. PRESIDENT'S REPORT

The President's report will cover the following items for discussion and/or action.

- 1. Minneapolis United Way letter of appeal and results.
- 2. Results of the telephone poll regarding the proposed management reorganization.
- Carlos Mariani-Rosa/memo regarding a proposed management reorganization model.

SPECIAL REVIEW/MONITORING PANEL TEAM "C" ROSTER AND ASSIGNMENTS Panel Staff: Joanna Buzek (340-7425)

<u>Parel Chair</u> Sandra S. Bisgaard	*1406-4th Avenue South, Anoka	55303	623-5672
<u>Vice</u> <u>Chair</u> Toni Green	2105 Humboldt Avenue South	55405	374-1178
Edward J. McConville	General Mills, Inc. PO Box 1113	55440	540-4151
Accountant Sue Shoemake	*12455-54th Avenue N. Plymouth, MN	55442	553-7751
<u>Team Leader</u> . David Rudnick	*7732 Lakeview Lane Spring Lake Park	55432	786-8665
<u>Program Liaisons</u> Sylvia Berry Adams	Mpls. Public Schools *8310 West Bend Road, Golden	55427 Valley	627-2295
Jim Johnson	Gelco Corporation One Gelco Drive, Eden Prairie	55344	828-2614
Dorothy Jachim	FBS M57 W018 lst Bank Place	55402	370-4538
Dorothy Mollien	Reuben Lindh Learning Center 3616-12th Avenue S.	55407	721-5551
Pat Ruigh	Unisys Defense Systems PO Box 64525, M.S. A 1D09, St	55164 . Paul	687-1346
Michael W. Unger	Hvass, Weisman and King Suite 2100, 100 S. 5th Str.	55402	333-0201

Agency Assignments

Carver Scott Coop -New Beginnings Washburn Child Guidance -Preschool Program	Jim Johnson Dorothy Mollien
Freeport West, IncProject Solo MEID -Young Mom's Program	Sylvia Adams Pat Ruigh
Centro <u>legal</u> -Projecto Justicia <u>TCOIC</u> -Job Skills Development	Michael Unger Dorothy Jachim

Committee.

2nd - Wesley Iijima

Motion Carries

2. Management Letter: The Finance Committee reviewed the contents of the Management Letter to the 1986 audit. There were 5 items that had been identified by the auditor as needing review. Those items included 1. Record retention, 2. Inventory control, 3. Capitalization policy, 4. Payment priorities, and 5. Operation budgets.

The Finance Committee recommended that policy statements be drafted for items $1\,-\,3$, and that the drafts be available at the next board meeting.

Motion - Tom Barrett

Moves the recommendation of the Finance Committee regarding items $1\,-\,3$ on the management letter.

2nd - Wesley Iijima

Motion Carries

- ** ACTION ON ITEMS 4 AND 5 WERE HELD OVER PENDING FURTHER DISCUSSION OF THE PROPOSED 1988 OPERATIONAL BUDGETS.
- 3. Operational Budgets: The Finance Committee distributed 1988 operational budget formulas for review by the Board. These formulas contained scenarios that included a 0% increase for staff Cost of Living Adjustments (C.O.L.A.S.), as well as an option containing contract employees. The basic expenses in 1988 are anticipated to be approximately \$72,435. The question at hand regards the amount of revenue needed for personnel. Estimates range from \$184,453. \$191,269. for personnel without contract staff to \$168,442. \$171,812. for personnel with contract staff.

COMMENTS:

The general concern was the lack of familiarity with a contract employee concept and the liabilities it would present, if any. Additionally it was felt that there may be other options that may be more appropriate and they should be explored.

RECOMMENDATIONS :

- A decision regarding the 1988 operational budget should be delayed until all concerns regarding the use of contract employees are addressed.
- 4. Sliding Fee Schedule: Staff presented drafts of 3 different

sliding fee schedules for the board to review and take action on. As a general rule, all people will be required to pay the \$25. consultation fee except in 2 instances. Those being, individuals referred by INS or legalization family clients of which only the adult members would pay.

Sliding Fee Examples :

Exhibit A - Based on 80% of L.S.C. guidelines translating into a net figure. There would be \$25. charged for income levels between \$0. - \$85. The sliding fee would be effective starting at \$86., and there is a \$75. spread between sections.

Exhibit B - Based on 85% of L.S.C. guidelines and currently in use by Centro Legal. There is a \$50. spread between sections.

Exhibit C - Based on 75% of L.S.C. guidelines for poverty levels. Like exhibit A, there would be a \$25. charge for income levels between \$0. - \$85. The sliding fee starts at \$86., and there is a \$75. spread between sections.

Another option that would need board approval would be to allow staff to provide legal services to upper income people. There would be limited work performed (15% of total open case load) and fees charged at private sector rates. The amount of word would be limited to available legal expertise by staff. However, it is estimated that an addition \$10,000 - \$15,000 could be raised annually. The question is though, would the agency be straying from the original mission.

There was support for Exhibit B by board members, as long as the agency did not stray away from their mission as originally drafted.

Motion - Albert

Moves that all budget and sliding fee options including items #4 & #5 of the management letter be sent to the Executive Committee for review and action. The Executive Committee is then to present their recommendations to the Board at the next Board meeting.

2nd Wesley Iijima

Motion carries

C. PROGRAM COMMITTEE REPORT

1. The Asian Legal Advisory Committee: was convened to review the status of the project. Since the project started (6/1/87) there has been a total of 9 clients served. There are a number of reasons why the numbers have been low (i.e., lack of need, lack of referrals, etc.) however, the project can not be effective without some type of restructuring.

COMMENTS:

* The client numbers were low even though staff did legal education seminars and outreach to the Asian community.

* The identifiable barriers were possibly the staff composition, lack of referrals and the trouble with U.S.A.M.

- * The project report should be completed because it will contain valuable information and may help others develop a legal project in the future.
- * The staff and Board did not seriously consider the cultural problems between the Lao and Hmong people and that is why the project failed.
- * We should have hired a Lao person for this project, and it appears as though this agency does not follow its own example of hiring the best qualified.
- * There has been extreme criticism from the Lao community for not hiring a Lao person. U.S.A.M. is upset because Centro did not honor the wishes of U.S.A.M. and they pulled their support because of it.
- * Personally, Centro Legal fulfilled every obligation and commitment to the Asian community and project. The community demands changed during the process and mixed signals were sent and received.
- * We should try to keep good relations with U.S.A.M. and help any Asian Organization that wants to try to set up this type of project.
- * The project staff person has notified management that they are leaving at the end of November. Unless the Board decides otherwise, the project will end at the end of 1987.

Motion - Tom Barrett

The program committee should convene as soon as possible to develop a position and report back to the Board.

2nd - Albert Garcia

Motion carries.

D. CHIEF LEGAL OFFICER REPORT

1. Personal Injury Referrals: The C.L.O. received the status of the request to do Personal Injury cases as a referral basis. The plan id to refer cases to private attorneys with the understanding that Centro Legal would receive a finders fee. This is now permissible under the professional rules of conduct, and would be restricted to a lawyer to lawyer agreement only.

Motion - Steve Hoffmeyer.

Moves the request to the Program Committee for further study and a recommendation.

2nd. - Albert Garcia

Motion carries

- 2- Sue Stevens and Associates. The study and report by Sue Stevens & Associates will be ready for the Board in January 1988.
- 3- Staff resignations. The staff for the Asian Legal Project and the secretary in St. Paul have both resigned and will be done at the end of November.

E. OLD BUSINESS

- 1. Annual Meeting Update. The meeting is scheduled for January 8 at Boca Chica. The guest speaker will be Judge Isabel Gomez-Edwards.
- 2. Ad hoc By-law Committee. Steve Hoffmeyer has been appointed the chair and is in the process of scheduling the first meeting.

The committee will review the mission statement, re-examine Board categories and look at the membership composition.

Being no further business, the meeting was adjourned at 8:20pm.

Respectfully Yours,

Donn J Vargas Administrator

Policy on Personal Injury Referrals

- 1. Every individual who calls Centro requesting assistance respecting a personal injury shall be referred to attorneys who have entered into referral agreements with Centro.
- 2. The staff shall prepare an intake sheet on the individual and shall refer the individual to a Staff attorney. The attorney shall inform the individual that Centro presently does not practice in the area of personal injury, however, if the individual wishes, Centro can refer him/her to a private attorney. If the individual requests a referral, then the attorney shall inform the individual that the referral may result in a referral fee being paid by the private attorney to Centro but that the fee will not be paid by the individual or from the proceeds of any award or settlement.
- 3. At this point, the attorney shall provide the individual with the name, address and phone number of a private attorney taken from a pool of attorneys kept by the office. After informing the individual, the attorney shall send the individual a letter detailing the referral, the fact that a fee may result and that the individual will not be responsible for the fee.
- 4. The office shall keep a list of attorney's from each County that Centro serves. For an attorney to be placed on the list he/she must enter into an agreement with Centro which provides that Centro shall receive, in return for referral of eligible individuals to the attorney, a fee between 25-33% of any money earned by the attorney from judgment or settlement of the individual's claim. The agreement shall be confirmed by the private attorney in writing in a letter to Centro.

- 5. The individual shall be referred to an attorney from the list. The attorney chosen will be from the county where the individual resides. The referrals shall be made in descending order on the list <u>unless</u> the individual objects to an attorney. A copy of the referral letter shall be attached to the client's intake sheet and a copy shall be kept in the file which contains the referral lists.
- 6. The private attorney shall be asked to promptly confirm representation and, upon request, shall present verification of the amount of the money awarded to the attorney. Any confirmation letter and verification shall be filed in the referral list file, in addition to copies of any fee award letters.
- 7. It shall be impermissible for any employee of Centro to give favorable treatment to, or receive compensation from, an attorney on the list. Unless requested by an individual, no referrals shall be made from outside the list.

CENTRO LEGAL, INC. LETTER OF TRANSMITTAL JUNE 15, 1987

PROGRAM PROPOSAL:

The program and budget material that we are submitting have significant changes from past material. These changes are reflected in format as well as budget requests.

The format changes reflect individual program proposals for each of our legal service areas. These areas include Immigration Law, Family/Other Law and community Legal Education. The new program format will list outcome and activities in all areas and allow us to monitor program efforts more effectively.

In the past we would submit 1 program proposal that would combine all 3 legal service areas. We feel that this format change will allow us to explain our services more clearly and give a better indication of the level of services in each area.

BUDGET FORMAT:

As with the program proposals, in the past we would submit 1 budget form C for our entire program efforts. The proposal format change has allowed us to modify our budget forms as well. We have developed a budge form C for each of the program proposals. The individual budget form C's will allow us to monitor the revenue allocated to each area and when necessary adjust the allocation to compensate for the level of service.

Aside from the format change the most significant change is in the amount of our expanded program request. We are attempting to reduce the amount of Foundation support needed to augment the revenue secured from the United Way. We have found that a number of Foundations have changed or are in the process of changing their outlook towards ongoing support. Most prefer to fund 1 time projects or restrict their efforts to the current identified problem (i.e., shelter, childcare, etc.). While this is commendable, many times it reduces the number of Foundations that are interested in funding programs such as ours.

Therefore, our long range plans are to reduce the level of "soft money" we need for our programs while increasing revenue from more stable sources.

Centro Legal. 9-24 Shingth Being known by the St Paul/Mpls ommunity. Immigration / Family Lew. Community Weakness New attorney, only 2 attorney (12 admin Case load More staff more experienced Solutions staff. 30 dunts Timnigution alternatives - Business Mgr. Criminal law 7590 sublic defender - limited belingual staff I Criminal lawattypara legal - immignation attry. Impact liligation research) advocate grad student-interno; undugrad/grad 1. Continuiting 2. subsiduary 3. him Bus. mngs. 14.770

Proyecto Ayuda

Servicios Legales Para Mujeres Maltratadas



Centro Legal, Inc.

2929 S. 4th Ave., Suite M Minneapolis, MN 55408

> 825-7829 1-800-245-5753

A Divison of Centro Legal, Inc.

Orden de Proteccion

Que es una Orden de Proteccion?

Una Orden de Protección es una orden dada por la corte para proteger a Ud. contra el abuso doméstico. Esta Orden exige que la persona que abusa de Ud.:

a. pare de amenazarla o de abusarala;

b. se vaya de su hogar;

- c. no vaya a molestarla a su hogar, ni a su colegio, o su trabajo;
- d. continue manteniendola a Ud. y a sus niños si es requerido legalmente;

e. entrar en un programa de ayuda.

Una Orden de Protección también puede concederle custodia provisional de sus hijos y establecer una horario para visitas.

Quien Puede Obtener una Orden de Protección? Usted puede obtener una Orden de Protección si ha sido victima recientemente de una violencia doméstica. La violencia doméstica está definida como cualquiér acto de abuso, incluyendo los empujones, las cachetadas, los puños, los jalones de pelo, las patadas, forzar actos sexuales, o amenazarla con un arma. Usted es elegible por una Orden de Protección si usted y la persona que la ha abusado:

a. son casados o fueron casados en algun tiempo;

b. vive bajo el mismo techo suyo, o solia vivir con Ud.;

c. tienen un hijo en común;

d. son parientes consanguineos.

Bajo ciertas circumstancias distintas a las mencionadas, Ud. también puede obtener una Orden de Protección en favor de su hijo si el o ella ha sido abusado fisicamente o sexualmente.

Que Sucede si una Orden de Protección es Violada?

Si la persona que abusó de Ud. la ataca, la amenaza, o viola la orden de mantenerse alejado de Ud., llame a la policía (911) inmediatamente. En algunos casos es necesario arrestar a la persona.

Si la persona se niega a obedecer cualquiér otra parte de la orden - por ejemplo, se niega a darle dinero para mantener los ninos, no va a las clases de ayuda, la molesta por medio del telefono, o no obedece el horario destinado a las visitas de los ninos - el Proyecto Ayuda puede ayudarla a enviar su caso a la corte de nuevo.

En Donde se Obtiene una Orden de Protección? Para asistencia en obtener una Orden de Protección, o más información al respecto, llame al:

Centro Legal, Inc. (612) 825-7829

Order for **Protection**

What is an Order for Protection?

An Order for Protection (OFP) is an order the court makes to protect you from domestic abuse. It may direct the person who has abused you to:

a. stop threatening or abusing you;

b. leave your household;

- stay away from where you live, go to school, or work;
- d. pay support to you and your children if legally required to do so;

e. enter a counseling program.

An OFP may also award you temporary custody of your children and set up conditions for visitation.

Who is eligible for an Order for Protection?

You may file an OFP if you have recently been a victim of domestic violence. Domestic violence is defined as any act of abuse, including pushing, shoving, grabbing, slapping, punching, pulling hair, kicking, forcing sexual acts, or threatening with a weapon. You are eligible for an OFP if you and the person who has abused you:

- a. are married, or used to be married
- b. live together, or used to live together
- c. have a child in common

d. are related by blood.

Under certain conditions, you may also file an OFP on behalf of your child if she or he has been physically or sexually abused.

What happens if an Order for Protection is violated?

If the abuser assaults you, threatens you, or violates the order to stay away from you, call the police (911) immediately. In some cases, they are required to make an arrest.

If the abuser doesn't follow another part of the order —for example, doesn't pay child support, doesn't attend counseling, harrasses you by phone, or doesn't abide by the child visitation order — the Women's Coalition can help you bring the case back to court.

Where to go to get an Order for Protection

For assistance in obtaining an OFP, or further information, call:

Centro Legal, Inc. (612) 825-7829

A Divison of Centro Legal, Inc.

I-800-545-5753

6287-328

2929 S. 4th Ave., Suite M Minneapolis, MN 55408

Centro Legal, Inc.



Legal Services for Battered Women

Proyecto Ayuda

AFFIRMATIVE ACTION
CITY HALL -COURTHOUSE
5th Street
1s, MN 55415
arry Blackwell

Proyecto Ayuda 2929 S. 4th Ave., Suite M Minneapolis, MN 55408 A Division of Centro Legal, Inc Non-Profit Organization Centro Legal, Inc. por medio de su nuevo "Provecto Ayuda," proveerá servicios legales civiles a mujeres Hispanas agredidas y/o golpeadas en el area metropolitana y donde posible en el resto del estado. Proveeremos asistencia legal desde el principio a fin y tomaremos cualquiér acción legal necesaria para satisfacer enteramente a nuestra cliente. Cuando sea apropiado, recomendaremos a otras agencias para asistir a la familia para encontrar servicios que no sean legales. Finalmente, cuando sea posible, el proyecto identificará y investigará problemas en el sistema judicial que afectén en particular a la mujer Hispana agredida y/o golpeada.

Proyecto Ayuda asistirá a mujeres Hispanas agredidas v/o golpeadas directamente con representación legal en las siguientes areás:

ORDEN DE PROTECCION (OFP)

- · Asistir mujeres con el proceso dificultoso en la corte mientras solicitan Ordenes de Protección
- Seguir con quejas criminales

PROBLEMAS DE FAMILIA

- · Separación Legal
- Divorcios
- · Problemas con custodia, visitación y mantenimiento de los niños

INMIGRACION

· Asistencia con asuntos de inmigración ocacionados a consecuencia del divorcio de la mujer golpeada

Centro Legal, Inc., thru its new project "Proyecto Ayuda", provides civil legal services to Hispanic battered women in the metro area and, where possible, throughout the state. We will provide legal support from beginning to end and will take any necessary legal steps to fully satisfy the client. Where appropriate we will refer to other service agencies to assist the family in meeting non-legal needs. Finally, the project will, where possible, identify and address barriers in the justice system which specifically impact on the Hispanic battered woman.

Proyecto Ayuda will assist Hispanic battered women with direct legal representation in the following areas:

ORDER FOR PROTECTION (OFP)

- · Assist women through the difficult court process as they seek OFP's
- Follow-up with criminal complaints

FAMILY LAW

- Legal separation
- · File for and settle a divorce which would include: child custody, support and visitation issues
- Obtain temporary custody
- Visitation issues
- Adjudicate paternity

IMMIGRATION LAW

· Immigration issues arising from a divorce for the battered woman

Provecto Avuda también asistira a mujeres Hispanas agredidas y/o golpeadas con referencias a las agencias apropiadas para obtener servicios no-legales en las siguientes areas:

VIVIENDAS

- Refugio temporal de emergencia
- Encontrar casa que sea adecuada y segura

BIENESTAR/ASISTENCIA DEL GOBIERNO

- · Asistencia financiera de emergencia
- Asistencia médica
- Estampillas para alimentos

CONSEJO/TERAPIA

· Individual o familiar

Requisitos de elegibilidad: Debe ser mujer hispana y de recursos económicos bajos. Nuestros servicios son grátis para personas de bajos ingresos. Si usted no es elegible para servicios grátis, recibirá servicios a precio reducido, según sus ingresos y el tamaño de su familia.

El personal de Projecto Ayuda es completamente bilingüe.

> Para servicios comuniquese con: Amaya Maura - 825-7829 Horas:

Lunes-Viernes de 8:30 mañana a 5:30 de la tarde Número Gratis fuera de la ciudad: 1-800-245-5753

Número de emergencia después de horas de trabajo: 646-0994

* Fondos donados en parte por el Departamento de Correcciónes de Minnesota y el Fondo de Mujeres de Minnesota *

Proyecto Ayuda will also assist Hispanic battered women with non-legal services by referrals to the proper agency, in the following areas:

HOUSING

- Emergency and temporary shelter
- Locate adequate and safe housing

WELFARE

- Emergency financial assistance
- Medical assistance
- · Food stamps

COUNSELLING/THERAPY

• Individual or family

Eligibility Requirements: Must be Hispanic and low income. Our services are free for low income persons. If you are not eligible for free services, our fees are based on your income and family size.

The Proyecto Ayuda staff is entirely bilingual.

> For services contact: Amaya Maura - 825-7829

Hours: Monday-Friday, 8:30 a.m.-5:30 p.m.

> Outstate Toll-Free Number: 1-800-245-5753

After Hours Crisis Number:

646-0994

** Funded in part by the Minnesota Department of Corrections and the Minnesota Womens Fund **

QUE ES EL ABUSO?



Abuso, o el uso de fuerza fisica, es parte de un sistema de comportamientos utilizados para establecer y mantener poder y control sobre otra persona.

INTIMIDACION

Atemorizandola por medio de miradas, acciónes, gestos, voz alta, rompiendo cosas, destruyendole su propiedad.

AISLAMIENTO

Controlando lo que ella hace, a quién puede ver, con quien habla, y a donde va.

ABUSO EMOCIONAL

Sofocandola o hacer que ella se sienta mal sobre si misma, llamandola nombres. Haciendola pensar que está loca. Burlarse de sus pensamientos.

ABUSO ECONOMICO

Impidiendo que consiga trabajo o de mantener el que tiene. Haciendola pedir dinero, dandole una mensualidad, quitandole su

Obligandola a actos sexuales contra su voluntad. Atacando fisicamente las partes sexuales de su cuerpo, tratandola como un objeto sexual.

UTILIZANDO A LOS NIÑOS

Haciendola sentirse culpable con respecto a los niños, utilizando a los niños para que le envien mensajes, utilizando el momento de las visitas para causarle molestias.

AMENAZAS

Amenazándola con hacer algo para herirla emocionalmente. Amenazarla con quitarle a los niños, con suicidarse, o con acusarla al departamento de bienestar público.

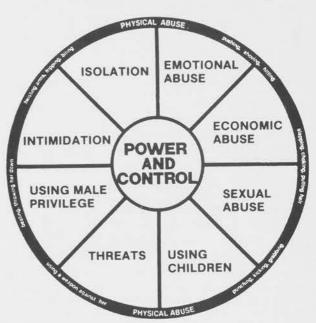
UTILIZANDO LOS PRIVILEGIOS MASCULINOS

Tratandola como a una sirvienta. Haciendo todas las decisiones "grandes" del hogar. Actuando como el "rey del hogar."

Estos comportamientos son más fuertes porque están reforzados por las amenazas y el uso de abuso físico. Para más información o ayuda, llame al:

"PROYECTO AYUDA" 825-7829

What is battering?



Battering, or the use of physical force, is part of a system of behaviors used to establish and maintain power and control over another person.

Intimidation

Putting her in fear by using looks, actions, gestures, loud voice, smashing things, destroying her property

Isolation Controlling what she does, who she sees and talks to,

where she goes **Emotional Abuse** Putting her down or making her feel bad about herself, calling her names. Making her think she's crazy. Playing mind

games. **Economic Abuse**

Trying to keep her from get-ting or keeping a job. Making her ask for money, giving her an allowance, taking her

Sexual Abuse

Making her do sexual things against her will. Physically at-tacking the sexual parts of her body. Treating her like a sex

Using Children

Making her feel guilty about the children, using the children to give messages, using visitation as a way to harass

Threats

Making and/or carrying out threats to do something to hurt her emotionally. Threat-ening to take the children-commit suicide, report her to welfare

Using Male Privilege Treating her like a servant Making all the "big" decisions Acting like the "master of the castle"

These behaviors are more powerful because they are reinforced by the threat or use of physical abuse.

For help or information, call:

"PROYECTO AYUDA"

825-7829

Bar pleads with lawyers to donate more of their time

The full phrase is pro bono publico, a Latin term that means "for the public

good." It represents the legal profes-

sion's commitment to serve the poor,

a largely voluntary and individual effort encouraged by the state bar to

supplement government-funded legal

The elderly woman on the phone told Larry Nordick that her husband had died recently. She needed to sell her house, but there were problems with the title.

Crying, she asked for help. She had no money to hire a lawyer, she said.

Nordick, director of the Northwest Minnesota Legal Services office in Moorhead, had to turn her down. "She's living below the poverty level," he said. "But we just don't have the bodies and money to help every-body who qualifies."

The woman may find a private attorney willing to take her case pro bono. But the odds are against it.

But in Minnesota and in the rest of the country, experts agree, the commitment falls far short of meeting the

aid programs.

need, and the need is growing. An alternative - mandatory pro bono commitments for all practicing lawyers - may get a trial soon in New York, and lawyers everywhere will watch to see how it works.

Last month, a New York panel recommended that each of the state's 88,000 lawyers be required to work at least 20 pro bono hours a year. It cited reductions in government funding for legal aid, the failure of voluntary efforts and the growing number of people without access to counsel in domestic and other civil cases.

"A crisis now exists which jeopardizes both the welfare of poor persons and the legitimacy of the legal system itself," the task force report stated. "The poor need legal help to

Pro bono continued on page 6A

Monday/August 14/1989/Star Tribune

Pro bono Continued from page 1A

and to an appalling degree cannot get

Nordick's agency is one of six regional programs that provide civil legal services to low-income Minnesotans, using both federal and state funds. The woman on the phone last week met the agency's income guidelines. Her case didn't sound complicated, Nordick said, but it could cost her \$500 in legal fees.

"I'd say we're meeting about a fourth of the need," he said. "It's depressing to talk about it.'

Cathy Haukedahl, solicitor general in the state attorney general's office, cochairs the Minnesota State Bar Association's committee on legal assistance to the disadvantaged. She said the problem is worsening in Minnesota even though the poor are better served here than elsewhere.

"The feeling in Minnesota is that we have a very responsible bar here, she said. "But I don't think there's anyone I've talked to who denies that there is a real need to do more."

Under the New York proposal, lawyers practicing alone or in small firms could satisfy the requirement by paying \$50 an hour, an annual total of \$1,000 per lawyer. That money would be made available to legal services and public interest groups. Lawyers in large firms could pool their pro bono requirements and assign it to one or two members of the

The obligation could be imposed as a court rule, according to the New York task force report, which described voluntary pro bono efforts as "disappointingly low," despite recent exhortations from within the profes-

In a joint editorial published late in 1987 by the journals of the American Bar Association and the American Medical Association, the nation's doctors and attorneys were urged to spend at least 50 hours a year providing uncompensated services to poor people.

Laurence Bodine, the ABA Journal editor, estimated that 90,000 U.S. lawyers participate in organized pro bono programs. But "even if every lawyer were to work 50 hours for the poor (a year), it would really only cover a small fraction," he said.

"The privilege to practice law or medicine has carried with it the obligation to serve the poor without pay." the editorial said. "Doctors and lawyers today have tended to become overly concerned with their professional incomes and practice efficiencies, but they must not forget their higher duties."

The Minnesota bar has taken no stand on mandatory pro bono, but the New York proposal "is a hot item," said Roger Stageberg, secretary of the 11,000-member association. "It's as specific as anything that's been proposed."

It will take time to implement, he said, and constitutional challenges are likely before the experiment could be graded. "That could take a couple of years. I would say that Minnesota is one state that might be able to rationalize waiting that time because we do have a good volunteer program, and it's getting better."

Stageberg said about 3,300 Minnesota lawyers participate in the state bar's volunteer programs. In addition, many lawyers take pro bono clients on a more informal basis.

obtain basic human requirements he said. "But there are problems with it. The most obvious one is the 50year-old probate lawyer from a large

downtown firm who for his manda-

tory pro bono case is asked to inter-

pret complex (welfare) regulations for

some client. That probate lawyer may spend half of his 20 hours just wading through the regulations.' A trained legal aid attorney, paid with public funds, might handle the

same case in a few hours, he said.

"There is an argument that this is a society problem that society should pay for, as it does with the public defenders in the criminal system."

At the federal level, public funding for civil legal aid declined throughout the Reagan years: from \$321 million in 1981 to \$308.6 million last year. In Minnesota, according to the state bar's legal assistance committee, there are 10 percent fewer legal services attorneys available to help the poor than there were in 1981.

The state's legal services programs recently estimated that low-income Minnesotans have more than 160,000 legal problems a year but that legal services and volunteer lawyer programs provide representation in only a fifth of those cases.

The problem is especially acute in the area of family law, according to a report released in February by the bar's legal assistance committee.

Despite publicly funded legal services and volunteer attorney programs, "thousands of low-income people are unable to get needed legal assistance with family law problems," the report stated. "Nearly one-half of the income-eligible persons who contacted the programs during the survey were turned away," including people who needed help with cases involving abuse, contested custody and child support.

The legal assistance committee tries to increase pro bono activity in several ways, Haukedahl said. Members meet with law students and summer interns "to get them thinking about it before they're even practicing."

The committee is developing model pro bono policies for law firms and encouraging law schools to adopt loan-forgiveness programs to steer graduates toward legal aid jobs.

Haukedahl said about 30 percent of

the lawyers who work in the attorney general's office participate in a volunteer telephone advice program she helped set up. They answer fairly simple questions in such areas as tenant rights.

Why don't more attorneys participate? "Some people do other kinds of service activities," she said. "Others feel a time pressure from work. Some just aren't interested.'

Nordick said he hears lawyers in rural areas object that they're already doing too much pro bono work. "The thing is, they may not be doing the pro bono for the right people," he said. "They're talking about the people who know them and walk into their offices and ask for free advice."

About 20 unemployed or underemployed attorneys in the Twin Cities are involved in a program, sponsored by the bar's legal assistance committee, that connects the lawyers with people who need legal help.

Lawyers who do pro bono work when they first start practicing law tend to continue. "They find that they're meeting a real need," Haukedahl said. "They get immediate feedback from clients, and they see that the problems get resolved.'

Peter N. Thompson, acting dean at Hamline University's School of Law said students need to learn "the obligation to serve" early. "We think that once they're introduced to it, they realize the obligation and they see it's important to the profession.'

Thompson said Minnesota lawyers are better than average at serving the poor, but he would favor a mandatory system of pro bono work here. "It would set the right tone," he said. "It would distinguish the profession. and make it clear to those who go into it that the legal profession is a service profession.

Haukedahl said one common argument against mandatory pro bono is that quality would suffer. "If people are forced to do it, they may not do as good a job," she said. "Also, people do volunteer work in a number of ways. What is community service? Is it only direct legal services for a poor person? Do you count legal services for the Sierra Club, for a private school?'

Thompson cited a more basic objection to mandatory pro bono. "Lawyers are like anyone else," he said. "They don't like to be told what to