



**Special Board Meeting**  
Monday, April 6, 2020  
Video Conference

**MINUTES**

**Board Members present over Zoom:** Rima Alaily, Beth Bloom, Bruce Brooks, Ellen Dial, Kay Frank, Ele Hamburger, John Hoerster (President), Mark Hutcheson, Nancy Isserlis, Mark Kamitomo Ron Knox, Gail Mautner, Dick Manning, Michelle Moersfelder, Sal Mungia, Margaret Niles, Mike Schwab

**Absent:** Gerry Schley

**Staff:** Melinda Mann, Caitlin Davis, Jessica Niewohner

Meeting start 2:32

**Approval of Minutes:**

It was moved by Kay Frank and seconded by Mark Hutcheson that the Board approve the minutes of the March 11, 2020 board meeting minutes. The motion was unanimously approved.

**Introduction:**

John Hoerster introduced the 'Path Forward' Memo and proposed plan. John asked the board to consider two key questions: whether the assessment of the memo is correct, and whether the proposed plan appropriately responds to the assessment.

**LFW Updates:**

Caitlin Davis gave an update on recent LFW board activities. The LFW offices have been closed for the past month, and will continue to be closed until the stay at home order is lifted. The LFW board met to discuss finances. The Goldmark fund is down considerably, but the biggest impact on funding will be IOLTA revenue. The board was aware that IOLTA would be going down, but they are now predicting that there will be between a 70%-80% decrease in funding. All grants are secure through 2020, but there will be some uncertainty in the first quarter of 2021.

LFW's major priority is to be helpful to grantees as much as possible. Along with OCLA and NJP, LFW helped to create a \$270,000 emergency fund for the Unemployment Rights Project to respond to the rising and urgent needs they are facing. LFW is also extending the deadline for grantees to submit their quarterly reports to LFW to ease the load on grantees who are overloaded by need.

LFW put on the first webinar for legal aid services that are beginning to be provided remotely. They will put on another webinar on the CARES act. Caitlin is working with NJP and OCLA to see what kind of

funding package the government will push out in the future for those who are the most vulnerable during this crisis.

Sal Mungia asked about what the emergency grant for ULP will be used for. Caitlin answered that they will use the fund to hire two full time lawyers and one community outreach specialist.

#### **Review of “Path Forward” Memo and Proposed Plan:**

John reflected back on our progress towards Reach 20 as of the January 22<sup>nd</sup> board meeting. By the March 11<sup>th</sup> meeting, many things had already changed, but today the situation is even worse. Though we were near our goal of a \$20M corpus at the beginning of Q1, our corpus last week was lower than it was before we started the Reach 20 initiative. It is apparent that changes need to be made to the Board's plans to address the current situation.

Rima Alaily described the key conclusion that the co-chairs reached in the memo; raising money in the next 6 months will be exceedingly difficult. The co-chairs propose that the board pause Reach 20 efforts for the next few months because of the uncertainty of the severity and length of the current crisis, the consequences that our society and economy may face after the crisis, and the huge demand for immediate needs that will overwhelm our legal aid system during and after this crisis. Raising money for an Endowment in that environment will be very difficult, and perhaps may generate negative feelings toward the Endowment. Many donors may not want to make commitments while the economy is in total flux.

There are still things that we can do in the interim, such as helping raise money for immediate needs through the Campaign, proactive stewardship outreach, and increasing Justice Society efforts.

John paused the review, and invited critiques from the board.

Kay said that she agreed with the assessment, and thinks it would be best to pause active fundraising given the current circumstances. Beth Bloom seconded the sentiment, but she asked what it means to ‘go back’ to the way things were before the Reach 20 campaign. John answered that we would be going back to regular functioning of the board (such as committee meetings and committee activity) during the interim period while Reach 20 is paused. John stated that we would continue to try to build relationships with people so that when we go back to completing Reach 20, we will be able to utilize the relationships that we have been building.

Ele Hamburger stated that she is concerned that there will be a dramatic need in 2021 paired with severe cuts to state and federal funding, and she wants the board to consider that the true ‘storm’ will come in 2021, and how we should support LFW and our grantees if this is the case. John responded we will continue to assess developments and that we should put an emphasis on planned giving and the Justice Society in addition to meeting current needs.

Margaret Niles stated she appreciates the Justice Society portion of the plan, especially given that so many people are re-evaluating their estate plans. It might be timely to address this while people are thinking about planning.

Mark stated that he felt stewardship was an excellent direction for the board, and would appreciate any guidance on how to move forward with remote stewardships. Dick Manning said that the outreach he’s interested in the most is supporting the Campaign for Equal Justice. Ellen Dial said that she agreed

whole-heartedly with the assessment laid out in the memo, and that she believes our focus should be on direct needs.

John summarized the proposed plan. Item one is to extend Reach 20 through 2021. Beth asked if this means we should change our goal to 'Reach 21'. John answered that the the Co-Chairs are proposing 'Reach 20' by 2021. Item two is to suspend active fundraising for Reach 20 until November. Item 3 is to reactivate Reach 20 fundraising with the Voices for Justice Concert, which would be jointly held with the Campaign for Equal Justice, with the net proceeds being shared 50/50. The Voices for Justice Concert will be held at St. Mark's Cathedral, which is known for its great acoustics and very flexible in terms of its set-up, and is offering us the space at no cost as long as they are listed as a co-sponsor. This would allow us to increase our capacity to 500-600 people. The Concert would be live-streamed.

Item 4 is to postpone all other in-person events until 2021, including house parties and law firm events. Item 5 is to communicate the key elements of the plan to our stakeholders as soon as possible, including the Advisory Council, the LFW and C4EJ Boards, civil legal aid providers, and important donors and prospects.. Item 6 is to focus on regular engagement with our stakeholders between now and November. Item 7 is to alter how the board will function as we move away from an exclusive Reach 20 focus, including moving our retreat to late September. Finally, item 8 proposes that because of the uncertainty of the situation, we will make another assessment in July and change the plan as needed.

Bruce Brooks asked about step 2 and freezing activity until November. He asked if this opens the door to considering if the LFW match will be redirected to immediate need for this year. John is open to changing the way that the matching fund is funded if the LFW board feels the need to address this issue. Sal stated that he thinks number 8 is the most critical, because he thinks the timeline is too optimistic. He expressed the necessity of addressing this again in July. Bruce noted that he is relatively pessimistic about the economy or market recovery in the future. He sees us continuing to trend down, and he wants the board to think about under what circumstances a distribution would be decreased or frozen. John responded that the Board should continue to think about both of Bruce's questions, while also noting that they point in opposite directions. Mark asked what our corpus is at the moment. John answered that the most recent number he has is \$14,996,768, but that given the increase in the market today, it might actually be at \$15.1-\$15.2M.

Melinda Mann noted that though the memo says we want to recruit 200 people to the Justice Society, the actual goal is 100. The board unanimously approved the plan with the correction.

#### **Discussion of path forward between now and November:**

Melinda discussed certain of the logistics of the plan moving forward. She stated that 95% of board activities were about stewardship, and only 5% was in solicitations. Melinda stated that so far, LFW, C4EJ, and the Endowment have reached out to all key major donors and supporters with a letter describing the current situation. Staff is working on setting up a remote town-hall featuring LFW's grantees and how they are responding to this crisis, and an opportunity to donate during the webinar. Jessica Niewohner recently sent out a social media survey, and staff will offer a social media training to those who want to learn how they can advocate for legal aid on social media. Staff would like to ramp up Justice Society recruitment as a way to keep people involved in the Justice Society. Planning for the Montgomery trip is moving forward, and there are 8-10 people who have softly confirmed that they would like to attend. This will be re-assessed in July, and potentially moved to 2021 if necessary.

There are people who still have the possibility to give. We want to keep the Endowment in the front of people's minds when things go back to normal, but still focus on immediate need over the next few months.

Mark asked if we have any ideas to enhance the likelihood that people will look at their email. He also stated that he would be happy to post on LinkedIn. Melinda answered that Tuesdays, Wednesdays, and Thursdays are the best days for people to get emails. Rima gave a bit of advice on LinkedIn posting, saying that your message should be summarized in the first two sentences of your statement so that people know if they want to keep reading or not. If your post is action-oriented and requests a donation, you should make that clear in the first sentence. You also have the option of writing articles on LinkedIn, and if you want to make a longer post about LFW or the Endowment, you can do that and then promote your article.

Caitlin stated that the EJC and OCLA are signing off on an op-ed from former Chief Justice Mary Fairhurst and LFW board member Fred Rivera, and that this article would be great to link on your Facebook or LinkedIn page.

John discussed the memo to reactivate the 2019 committees and liaisons, which lists what the committees and liaisons would work on in the next several months while Reach 20 is paused. Dick stated that he will reach out to the Justice Society committee this week. John stated that he hopes board members will be willing to serve in the capacities outlined in the memo, but that individuals are welcome to note if they would rather participate in a different committee or if committees as a whole want to alter their objectives and action plan. Ellen moved to approve the plan outlined in the memo, and Kay seconded. It was noted that Margaret had been inadvertently omitted from the list of Operations Committee members. With this correction, the board unanimously approved the motion.

The meeting adjourned at 3:58 PM.

Respectfully submitted,

Jessica Niewohner  
Development Associate, Endowment