National Equal Justice Library Oral History Collection
Interview with

Clinton Lyons

Conducted by Victor Geminiani
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VG: This is the oral interview of Clinton Lyons that is being taken at Don Caesar in St. Petersburg, Florida. Today is the 23rd of July 1991. The topic of this interview will be Mr. Lyon’s activities in legal services with special focus on his tenure as director of the Office of Field Services and acting president of the Legal Services Corporation. The interviewer is Victor Geminani. Good afternoon.

CL: Hi Victor.

VG: I want to thank you for making your time available to all of us. This will be a very, very important addition to the oral history collection of the National Justice Library. Can you tell me a little bit about your background before we begin prior to the time you became involved in legal services.

CL: Well you know of course I was born and raised in Augusta, Georgia and went to high school there. From there I went to undergraduate school at Manhattan College, a little ways up the street from you at Fordham and I went there for two years then left to work for a year, then got drafted
into the Air Force and spent four years in the Air Force, came back, finished my undergraduate education and I got admitted to Rutgers Law School. After graduating from Rutgers Law School actually at the time I was at Rutgers Law School we learned a lot about legal services and the work that was going on in some of the Ford-funded legal services support centers and the work that OEO was doing in implementing the legal services delivery system throughout the country. And during that time I guess those of us who went to Rutgers particularly minority students somehow had the feeling that we needed to be involved in some movement to return something back to the society and our communities for what we felt were some very fortunate opportunities, the opportunities to go to law school and actually I was the first person in my family to actually graduate from high school in my immediate family. So going to undergraduate school and then the law school was a high point in my life and in the life of my family. So we thought that many of us students who followed a similar path that I had thought that we should try to get involved in some work that was community related. And we heard about the Reggie program, that was then I guess it was Howard University. This was 1971 when I was graduating and I had some friends who knew Glenn Carr who is the head of the Reggie Program and I contacted Glenn and told him I was interested in getting a Reggie and when
they came to New Jersey and recruited I was one of the people picked. And I started my legal career in legal services working at Essex County Legal Services in Orange, New Jersey and I’ll never forget the first day I went into that legal services office, I was a replacement for a lawyer who was leaving and at that time there was very little transition from the old attorneys to the new attorneys and so the assumption was that you know if you are a Reggie you have been in some kind of clinical program which I wasn’t, I had not been, and I got handed a bunch of cases, landlord tenant cases to go into court the next morning. And of course I had been to landlord tenant court in Newark and observed cases being tried but I had never actually tried a case. So I got my first group of cases I went to the senior attorney and talked over the cases with the senior attorney and more about substance than procedure, my assumption was that all the procedural aspects of the cases were in the case file. So I went to court with these cases and the first thing the judge asked me after I introduced myself and my client he says let me see your proof of service and I don’t know really what the hell he’s talking about right so I looked through my file and I don’t see anything that says proof of service so the judge tell me look how long have you been practicing I said this is my first case. He says here’s a rule book I’m going to give it to you don’t listen to your managing attorney, don’t listen to anybody, read the rule
book and that is what I did and that was one of the interesting aspects of my entry into legal services. I think that incident sort of colored and maybe directed the path that I was going to take to some degree in legal services. I did learn that rule book. I learned a lot about court procedure and to the extent that people began to rely on me in the project to assist them with the procedural aspects of litigation. I wasn’t the best lawyer in the program but I knew the court rules and the procedural aspects of practice in the New Jersey courts. And after about two and a half years at the time the program was having problems with Harry Phillips, the cutbacks came, we had payless pay days, a lot of people left, a lot of the attorneys left and almost by default the supervision of the law students and some of the younger attorneys fell to those of us who had been there for two, two and a half years so after two and a half years I became a senior attorney. Again, not so much on the strength of my legal talent I suspect but because I did know my way around the courthouse. From there I always wanted to go back home, so to speak, and I heard about this job this managing attorney’s job at the regional office of the Georgia Legal Services program the regional office in Augusta which is my home town. Betty Kerr was the director of the Georgia program at the time but she was in transition, a new director was coming on board Greg Dallaire, John Cromartie was at that time the deputy director. So I applied for the job
and John called me on the phone and talked to me about the program and an interesting thing he asked me was how old are you and I was 31 years old at the time by virtue of the fact that I had left college for a year to work and then I had spent a little over four years in the Air Force so by the time I went back to law school it was getting late. But in any event they offered me the job as managing attorney in the Augusta office and I was married at the time and Alma was pregnant with Clinton at that time, this was 1974. And I moved my family to Augusta cold and the agreement we had was that if you didn’t pass the bar you didn’t have a job and I was scared to death. I went because I wanted to go and fortunately I did pass the bar. Incidentally Greg Dallaire had taken over and I think he had made a commitment to minority recruitment and there were a number of minority lawyers who came into the program at the time Willie Lockett, a couple other people and the interesting thing the year before I think 1973 or 1972 the Georgia bar had flunked every black person that had taken the bar exam except one out of all the candidates that sat for the bar and the pass rate went up in the 1974 year when we took it and I think there were five people from Georgia Legal Services black people from Georgia Legal Services who took the exam, they all passed. So I guess the recruitment process was very good.
VG: What was it like in Augusta in 1974 as the black managing attorney of that office?

CL: I think I found a couple of things, surely my home town was a lot different than I remembered it as a young child and by now it’s 15 years since I had lived there. People in the office were I had a very good young staff in the office Bill Cobb, a couple of other very good lawyers who were very receptive to my leadership. Where I found the most problems were in the courts. I remember the first case I handled in the courts in Augusta was a minor divorce case and I went in and made my appearance and the judge the first thing the judge asked me was if I were admitted to the bar and it sort of irritated me a little bit so I said well I know I wouldn’t be standing here representing a client if I weren’t admitted to the bar so he said to me oh you were one of those smart guys where you from. Oh he asked me where did I go to law school. I said I went to Rutgers in New Jersey and he said what’s the matter you had to come way down here to get a job. And this was all the time I’ve got my client standing there and the client is probably saying what the hell have I gotten myself into this guy is having problems with the judge already. So we went back and forth so finally the judge said look you tell Mr. Cobb who was one of my lawyers in the Augusta office, he said you tell Mr. Cobb I want to see him and I said well judge do you have a problem, he
said yeah I got a problem, I want to talk to Mr. Cobb. I said well if you’ve
got a problem about that office or any of the lawyers in that office you can
talk to me. So he said are you trying to tell me you’re in charge of that
office. I said you’ve got it judge. And I just turned around and walked out
of the court and so that was sort of symbolic of some of the problems I
experienced there but fortunately it was one of the rare times that on a racial
basis I think that I ran into problems in the court. My office had
responsibility for 12 counties, we used a circuit riding strategy to serve all of
the counties and I used to circuit ride out to three or four counties with the
paralegal and really aside from the conditions which we had to interview our
clients I never really had a very serious problem. I did have problems related
to the pattern of practice of the bar in the Augusta you know the pleadings
were not always of the highest quality. You didn’t have any kind of practice
on motion pleading stuff that you could rely on, it was sort of always call up
on the phone and talk to the other lawyer and you had to learn those kinds of
things in order to be of the best possible service to your clients.

**VG:** You decided a little later to go back north to become the director
of the program. Can you tell me why.

**CL:** A couple of reasons. I think that my wife was not really happy
in Augusta. She had lived in the north for a long time and had become
comfortable there and wanted to get back there. And I had an opportunity to assume the directorship of the Newark legal services program which was part of the whole Essex County program, the program I had previously worked in in Essex County and the Newark program had the same board although they were separate projects. So I had an opportunity, I had some people call me from New Jersey and ask me to apply for the job and I did and I got it and

**VG:** What was it like being director for the first time?

**CL:** Well fortunately I knew the area and had practiced in the courts there and I knew many of the people and had learned something in the Georgia program even though I only spent a year there about managing a program. We had very good training in Georgia on a substantive level and we had some management training. So I went into that project with some idea about how to look at a program and decide what it was, what I wanted it to be and some skills about how to make judgments about how to change things. Fortunately when I went back to the legal services programs were on a growth pattern, the growth pattern of the expansion had begun, this was 1977 and so we had some increased funding. So I had an opportunity to hire five lawyers and to begin to make the staff in the image that I thought it ought to reflect in the community. So I was fortunate.
VG: 1977 I believe you also again went home to Georgia to become the deputy director for the regional office in Atlanta in the Office of Legal Services. Can you me how it occurred.

CL: I’m not sure I know the correct story of that even to this day. I do know that someone who knew Bucky and I, I think it was John Cromartie Bucky was opening up or expanding the Atlanta regional office of the Legal Services Corporation which was responsible for all the legal services projects in 10-state southeast region. And Bucky was expanding his staff and was looking for a deputy. And I think John told him to call me and he did and talked to me about what his goals and views were about the legal services corporation and what he wanted to try to accomplish in the Atlanta regional office and said he had heard good things about me and really would like to talk to me and asked if I would be willing to come to Atlanta to talk to him. So I went to Atlanta and met Bucky and liked him immediately. He has an infectious sense of humor it’s sort of clean, you know sort of look in terms of attitude he attracts I think immediately and I was really attracted to him as a really very humorous simple man whose intelligence is sort of camouflaged by his humor and his sort of playful attitude. So we got along famously right away. I went to his house and met Kathy and then I brought my wife down to meet them and so I think more than anything more than a
desire to work for the Legal Services Corporation I think it was that human contact and immediate human affinity with Bucky and rapport that we seemed to establish was perhaps the deciding factor in my taking the job. There was an opportunity for growth in legal services and that’s why I chose them.

VG: 1977 was a period of phenomenal growth in legal services in the southeast in particular because of the Carter budget increases. You were in the middle of that expansion. Do you have any dramatic or clear or memorable strong memories or impressions of what you did in the southeast as a deputy regional director during that period?

CL: Yeah I was in that office for a year beginning of May 1977 and immediately the magnitude of the expansion task in that region hit you immediately. I think the bulk of the new dollars that were going into legal services I think the expansion amount had gone from something like $70 million to $200 million and the bulk of those expansion dollars were hitting the southeast region and just the magnitude of getting that kind of money out really made an impression on you right away. Secondly, just how you were going to get it out was a consideration because we had already begun to experience some political problems as a result of expansion. I mean going into government taking dollars and putting them into local areas without
some cultivation of the broader community and the professional institutional communities really creates problems and I think that the corporation started own that road without fully appreciating those problems, so we ran into right away in the southeast region. I had responsibility for expansion in three states, South Carolina, Mississippi and I forget the other one, North Carolina I believe, but in any event it was very clear to me upon attending some meetings in Washington of the regional offices and hearing about the problems that they had and my own views about the problems we were experiencing in the southeast region that we had to put together some procedures for the process of expansion. Community contact, notice to everybody how we intended to do this thing so I drew up and Bucky gave me the responsibility for the overall expansion plan for the region so I drew up an expansion process procedure notice contact with key institutions and the bar, civil rights groups, church groups, basic identifying client community, publication in newspapers about the expansion how many dollars were available and actually trying to identify and encourage individual along a broad spectrum to apply for these dollars. And having done that, you know we spent the whole package of how we were going to proceed to Washington, it was sort of an ad hoc expansion effort in some respects because all the regions had proceeded a little differently in that
there was really no real uniform policy guidelines coming out of Washington except some de minimis standards about you were to proceed in this effort. And I think overall in our region the expansion proceeded well and some states like Florida we did have problems. I think there was a conscious policy that was if not overtly stated in the Legal Services Corporation that there needed to be a change in the way legal services was delivered in that there needed to be aggressive advocacy, quality representation and if we found that existing institutions, the policy was not to exclude bar sponsored programs the policy was to carefully evaluate those existing institutions capacity to deliver the kind of services we thought our legislation indicated we should deliver. And as measured against something we could create and of course most of the time we did not go through existing institutions. And that created some political fallout. I believe part of the fallout was due to our lack of specific procedures that people knew about and our own inexperience in the political arena dealing with people in institutions that had an interest in how dollars were spent in their community.

**VG:** Can you tell me what the reaction of local southern bars was to the entry of federal legal services programs?

**CL:** In most states it was fairly hostile. And you heard the term socialized medicine that was the general feeling among the bars I think in
the southern states and that was that all of these federal dollars were going to come in to fund all of these left wing lawyers who would not only stir up trouble in the community but would begin to take business away from the private lawyers existing in those communities. So it was a very serious problem and I don’t think the problem was really seriously addressed until the ABA really came out strongly and supported the legal services effort. For a long time there was an underlying resentment and suspicion of the federal expansion effort.

VG: In 1978 you made a move from the Atlanta regional office to the office of field services in Washington, D.C. Can you tell me how that occurred?

LC: Yeah it was really interesting. I really loved my work in Atlanta you know it was sort of back-breaking work, a lot of travel, a lot of real detail focus work late into the night on every community in where you wanted to put some dollars so that you didn’t make the mistakes and cause the political problems that could really sabotage the whole young corporation’s effort. And I think we did a real good job in the southeast region and the procedures we had established I think impressed some people in Washington. But the genesis of my move to Washington basically occurred in I believe in Denver, Colorado where the president of the
corporation and the director of the Office of Field Services held a
corporation-wide meeting and the president appeared at that meeting and
met with the regional directors and the deputy regional directors and the
president of the corporation at that time was Tom Erhlich, the first president.
And he was sort of giving a pep talk about his views about getting more
dollars and the expansion effort and all of that and when he finished talking
to us he asked if we had any questions and nobody asked a question. So I
started to ask him a series of questions about the process he was going to use
in order to implement some of his objectives, whether there was going to be
input in analyzing you know some of the directions he wanted to go in and
why he wanted to go in one direction as opposed to another and things like
that and he was very polite and responsive and attempted to answer my
questions. So we left that meeting and the director of field services it was
common knowledge that he resigned, Charles Jones and Marty Thompson
who was then director of the regional office in Philadelphia was being
considered as his successor his replacement. My understanding was Marty
and Tom Erhlich even at that meeting in Philadelphia were doing some
negotiating about the job and apparently couldn’t reach any kind of
agreement and Tom Erhlich was very, very particular attentive to the
political crisis points in the expansion effort and there was one in
Mississippi and I was working on it and he and I talked a lot during the course of resolving this problem. And he had delayed the award the signing of an expansion grant to a program in southwest Mississippi based on some problems some political problems opposition of the local bar so I worked around that problem and gave Tom all the information the evidence that I thought justified the expansion and I called him one day and said look I think you’ve got all the evidence you need, I understand for political reasons you don’t want to jeopardize the whole expansion but you need to make a decision. And he called me the next day and said I made a decision. Then he called Bucky about a week later and said I would like to come to Atlanta and talk to you and Clint and Bucky relayed the conversation to me was that he wanted to talk to me about taking Charles Jones’ slot as director of field services but he wanted to touch bases with Bucky because I worked for Bucky and he didn’t want to insult Bucky by just dipping into his office and taking a person out. And so Bucky came to my office and said well Tom Erlich wants to come down here and talk to you. I said he made the decision about the expansion you know what’s there to talk about. He said well he wants to talk to you about being the director of field services. So I said Bucky get out of here I don’t have time for that. And sure enough Bucky was serious and we sat down and talked about that and I thought
about it a lot and decided that I would not do it if he asked unless Bucky and I could do it together. I had talked to Bucky a little bit about that. So when he came down and he talked to me about it and asked me to do it I said to him I said well can I choose my deputy and he said well there is a deputy already there. And I said well that’s your problem I want to choose my deputy and I told him that you know I wanted Bucky to come with me. And so he said fine Bucky went with me but they didn’t fire the deputy that was already there so he just decided Erlich just decided that and part of it related to I think a diversity issue. I think he wanted to have diversity within the operation of the corporation and was actively seeking out minority people to bring on in.

VG: Can you describe the functions of the Office of Field Services?

CL: Actually I was offered that job some time in May or June of ’78 and I started commuting back and forth to Washington in July and went there permanently in August. It was clear to me that the Office of Field Services had four or five primary functions when I went there, and one was to supervise the regional offices, the people who worked in the regional offices and made the recommendations regarding expansion and awarding of grants.

VG: There were nine regional offices during that period.
CL: Right and the other function was to award grants and contracts. The third function was to ensure that the programs were monitored and evaluated to ensure compliance with the Legal Services Corporation Act and regulations. The fourth function was to engage in delivery research and to report certain findings coming out of that delivery research to the president of the corporation and to the Congress of the United States 1078 studies and some of those. I think those were basically the primary functions.

CG: Do you remember any transitional issues that occurred when you were just moving up? How was it to go from a regional office to the center of authority in the Legal Services Corporation as director of the Office of Field Services?

LC: I think one of the things I had learned in working in the Atlanta regional office is that how much we did not know in taking on the responsibility of so many tax dollars and for delivering a service that was vitally needed. So I went there with a sense of humility about the magnitude of the responsibility and with a keen sense of understanding that I had a lot to learn and I was going to spend my time I wasn’t going to rush myself, I was going to try to learn as much about the unit within the corporation I would responsible for as I could and then proceed to try to organize it in a way that made sense within the whole organizational structure of the
corporation. I went there and I found several things that related to this transition question you talked about. That there was very little organization in the corporation I mean structural and management you know things were sort of done by individuals with no real articulated plan I’m not saying there was not a plan but there was not an articulated plan that was verbalized and that could be shared with everybody so that not only people working in the corporation knew what it was but the people we had to work with outside the corporation would know. So there was an organization task that had to be performed. Secondly it was clear to me that there was no clear message emanating from the Office of Field Services that concisely stated (1) the goals and values of the corporation and (2) the goals and objectives and values that the Office of Field Services wanted to pursue and I thought that was important with respect to the regional offices because the Office of Field Services was responsible for the regional office. They had these nine people out there responsible for a lot of money and a lot of programs and pursuing sometimes inconsistent policies about how they were going to get their jobs done. So that became clear to me and of course there was the ongoing expansion process we were still getting more money, we had a number of demonstration projects out there that incorporated various ways of delivering legal services through the private bar, law school clinics, pro
bono models, adjudicare models and all of that which was as much of a political issue in terms of its potential for disaster as the expansion effort. So the organization issues, the expansion effort, the management issues all were you know transitional issues that I had to grapple with and as well integrating myself within the overall structure of the corporation and articulating to the rest of the corporation my vision of what that office was and how it related to the other operations within the corporation.

**VG:** How did you view your major responsibilities around and the Office of Field Services major responsibilities obviously done through the regional office around the concept of monitoring? What were the responsibilities and how should those responsibilities play out in the support and well as the police role they clearly had to play?

**CL:** Well basically I think that my concept was simple and complex at the same time. I thought that the role of the regional offices was to ensure on the one hand that the intents and purposes in terms of compliance with the legislation and the regulations and in terms of the substantive goals that the legislation articulated that those were carried out that you know people followed the regulations and there would be some process of ensuring that they did follow the regulations and the act and that there were no violations. And this was part of the monitoring process and also to work with the
controller’s office on the financial management to make sure that the money was handled properly. The other part of the concept and the value was to be a helper to the programs, to be the conduit for the regional offices to be the conduit for the views of the programs to filter back up to Washington so that the views of the people who actually delivered the service could be heard and considered in the formulation of policy in Washington. I say it was a complex sort of objective to pursue, value to pursue because the tension between the policemen, if you will, and being helper is tenuous at best and really could only be survived if it were based on trust. In my whole I think first year in that role my whole objective was to create the trust with the field programs to be able to pursue that objective and to get the kind of people in the regional offices that I thought would contribute to the pursuit of those objectives.

VG: How did you implement that philosophical change in the regional offices?

CL: Several ways. It was clear to me that and Bucky and I you know spent a lot of time talking about these issues and incidentally you know in my whole working relationship with Bucky I viewed him as my partner so we sort of you know had his experience and my experience and his experience to overshadow and support my weaknesses and vice versa, so we
may have had a whole person in the two of us. But we tried to discuss these
issues and get input from other people in the corporation like Alan
Houseman, we had meetings of the regional offices, we brought in a
management consultant to talk to us about organizational kinds of issues and
this whole complex strategy that we were trying to pursue and that was very
helpful to us in trying to resolve that. And then in that context too we sought
out expertise organizational development, people at the Wharton School
gave us some help, Joan Leiberman came in to help us and to conduct some
training and workshops and I’m not sure whether or not we pursued the
correct or appropriate strategy in trying to articulate our values to the
regional offices but we did meet with them and allowed them to participate
and help us formulate policy and in that interchange we did try to get our
values across as to what we wanted to pursue.

VG: The other major issue that you mentioned that you had to deal
with was the delivery of legal services through a variety of different
experiments that was primarily done through the delivery system study
which was mandated in the Legal Services Corporation Act and that came
within your authority in the Office of Field Services. Can you tell me your
perspective on the delivery system study some of the problems that might
arose and where you ultimately saw that going.
CL: Well it may be useful just to talk a little bit about the genesis of those studies. In the heat of the political debate about how legal services could best be delivered in this country and the whole political problems around expansion and all of that, Congress mandated a study of alternative ways to deliver legal services in the country. So the Corporation implemented a study to set up demonstration projects to test the performance of those projects against the staff attorney model with a view toward reporting back to Congress and deciding what this national delivery system would ultimately look like. When I got to Washington that study was in full operation and the demonstration projects themselves were operational. We had I encountered right away some internal conflicts within the office of the demonstration projects and I made some personnel changes there to try to solve those problems and tried to take charge of that whole operation. One of the real problems with the demonstration projects is that everybody in the field programs the staff programs people were keenly aware that these things are probably representing a political threat and a lot of people who had experience with some of the models really didn’t trust the models they didn’t think they were qualitative or anything so there was a political underpinning to that whole study that one had to manage very carefully. The whole demonstration study had an oversight committee looking at it and people
who had their own political agenda so you had to be in tuned with all of these various kinds of issues to keep that thing on track. Well we put some people together to capture the data, we had a working group within the corporation and we had a very good person to write the report on the data as it came out of those projects which basically said, you’ve read them, that there are various ways to delivering legal services in the country and you have to decide what is the proper context for each but by and large in terms of impact which was one of the measures the staff model was the best but in terms of quality and cost and all of that, you know, it depended on the circumstances around each model. So they were all viable depending on the situation. But when the report came out people just assumed the demonstration projects would go away. But there was political pressure in the other direction and Tom Erhlich who was leaving the Corporation at that time and Dan Bradley coming on board, Alice Daniel who was the general counsel became the acting president. Tom was on his way out the door and he was supposed to make the decisions. They are your baby Clint you take care of it so I got this huge political problem. Alice Daniel didn’t want to touch it. So I held a series of meetings and for me the decision was always fairly simple. Not in terms of its impact and the politics of it but it seemed to me that if we had a study saying that some of these things were viable and
the issues was you know the viability of some of them and the amount of money you were going to spend on them which was really the real issue that you could move away from the extreme of changing the whole delivery system and putting a lot of money into these things, and saying there are only five of them the five that are good we’re going to put aside a million dollars to fund them and based on local decision making and control and based on what people read the local board can make the decisions about whether they are going to use the data and create their own delivery system. It was all part of you know a local control rationale, what the study said and getting out of a political problem so I allocated a million dollars to fund those projects and I think that solved the problem but it had the potential for being a fairly serious problem.

**VG:** Do you remember any other major activities that you spent time on while you were director of Office of Field Services?

**CL:** I think I probably described most of them. Well I spent a lot of time during the years I first came in working with other people in the corporation, building bridges, letting people know who I was, trying to make sure that for example the Office of Program Support trying to perform some relationship with them so we didn’t work at cross purposes, working with Alan in the Research Institute, trying to make sure there was a
communication bridge between Alan’s work and the work of the regional directors and those kinds of things. All of the things that go to the leader of an organization, managing that organization, trying to resolve conflict, trying to anticipate issues and solve problems and that’s the way I saw my job and that is what my focus was.

CG: What were the relationships between the various divisions at that point there was the Research Institute headed by Alan Houseman, OPS Office of Program Support headed by Bea Moulton, Mario Lewis and Alice Daniels at different times as head of the Office of General Counsel, Mary Burdett was the head of the Government Relations Office, Tom Erhlich of course and Dan Bradley were the presidents. Do you remember what the relationships between the divisions and between the individuals who were the heads of the divisions were like?

CL: Vividly. I think the first impression I had was that the people who headed those divisions the people you mentioned comprised the senior staff of the Legal Services Corporation. To a person those were some of the brightest people that I had met and some of the most committed people that I had met and some of the most headstrong and in some instances arrogant people. I don’t mean that in a derogatory way. These were people who were very value laden, were committed to doing something and were going to do
it their way and here you had all these bosses in the Legal Services Corporation that sort of self-contained and kept people apart and it created some tensions and some problems and of course in any organization the person who makes the decision and holds the ultimate power there is always some contest to have the ear of that person because whoever has the ear of that person essentially has control of the direction of the corporation. There was tension between the Office of Field Services and OPS in the beginning, there was tension between the Office of Field Services and the Research Institute in the beginning. The Research Institute basically was responsible for the corporation’s research efforts and administering the backup centers, the support centers and was sort of viewed by the regional directors as somewhat elitist and sort of a lone ranger out there and I spent a lot of time working with the director Alan Houseman to try to let him know who I was and he knew me but not on a personal level as we developed. And we became we established a working relationship over the years. The corporation never got to be a kind of homogeneous operation that I’ve seen develop in other contexts but I think some of the problems were solved. The General Counsel’s office was headed by Mario Lewis, Mario was a very able lawyer and had some feelings that you know because he was Hispanic that people perhaps didn’t value his talents or recognize his talents as well as
and I think there might have been some justification for his feeling that in
the beginning but I think as we evolved we saw the value in Mario and
recognized it. He’s a very able counsel. In the end I think that the
relationship between the Office of Fields Services, the Research Institute,
Government Relations and General Counsel became very good. The
relations with the Office of Program Support never really became good or a
good working relationship although when Bea Moulton came on board the
personalities jelled well and we were able to overcome some of the
problems.

**VG:** In 1981 in January Ronald Reagan was sworn in as president of
the United States and soon thereafter within a few days I recall he
announced his intention to eliminate the Legal Services Corporation. Dan
Bradley who was then president of the Legal Services Corporation
responded by doing a number of things. One was to form a committee called
the ABC committee which stood for Alan, Bea and Clint and Alan
Houseman, director of the Research Institute, Bea Moulton the director of
Office of Program Support and you as director of the Field Services to begin
a discussion about the transition. Can you tell me what that experience was
like and the types of decisions that you ultimately made to govern the
transition to the new president’s wishes?
CL: On November 5, 1980 all of us woke up with the shock of the news of Ronald Reagan. And we knew what the Reagan agenda meant. And we knew that that agenda meant a demise of the Legal Services Corporation in all probability and contrary to what has been portrayed in a political context as an effort to thwart the Reagan agenda in dismantling the corporation we set out about the work of ensuring that there would be an orderly transition to what then existed and to what may exist in the future, whether that be the total shutdown of the Legal Services Corporation or whether or not it be some other way of delivering legal services but there were programs out there, there were clients out there, there were taxpayer dollars out there and we thought we had a statutory and fiduciary responsibility to look at the changing events and what was likely to come and to begin to plan for a transition. So we set about the work of doing that and the three major division heads the Office of Program Support, the Research Institute and Office of Field Services with the help of the General Counsel’s Office sat down with some consultants and other staff and began to analyze the political situation in terms of the alternative futures that we may be looking at for the Legal Services Corporation and try to figure out you know how we could plan for the future the new future. The programs weren’t going to go away, they may be cut back or something but a lot of
them had some other sources of funding and stuff like that. So we wanted to make sure that whatever we could do would help them make their transition to this new thing. I don’t without my notes and my records and it would be too long to do so I don’t intend to describe in detail what it is we did and what our specific goals and objectives were but I can tell you that we read our mandate as ensuring the existence of continued existence of legal services in the United States for poor people. We put a campaign in place to educate the local programs about this potential for a transition to something else and we tried to provide some training, technical assistance and help to them about how to plan to continue to deliver their services even if the federal dollars were cut off. And that was some very complex and highly political work and came back to haunt us I think unfairly after the corporation was taken over by others and our records were read and misrepresented. But you know we did the right thing.

VG: In late 1981 Dan Bradley resigned as president of the Legal Services Corporation and shortly thereafter you became the acting president. That was also a time of transition from the Carter board to the Reagan board. Can you tell me your memories of that period of time?

CL: Let me try to describe to you some more impressionistic memories as opposed to factual memories. And I think it may give you a
sense of the importance of what was taking place at that time. The president had named a new board to the corporation and Dan obviously was leaving. The new board clearly based on the record of the individuals was by and large hostile not all of them, you know, were very hostile and they came in and they appointed a law professor from G.W. Law School who was a top criminal law, Gerry Caplan, as acting president. Jerry was he was a nice guy he had no particular axe to grind but he wanted to do his job and he saw his job as responding to that particular board and its mandate. And it occurred to me that rather than try to fight this transition what we had was a political change mandated by the people of the United States and one of the consequences of that change was that the president now had the power to influence the direction of the Legal Services Corporation and my view was that until somebody asked me to do something that was destructive or illegal I had an obligation to help in that transition to some degree and an obligation to honestly advise those persons who had the responsibility of leading the corporation. So I approached Jerry Caplan and the board members in that light and I think one of the things that led to some influence that I was able to have during that transition was something as simple as you know the lines have been drawn the people who have been brought in earlier under the Carter board and the people who were being brought in by the Reagan
people there was these two camps and something as simple as whether or not we issue an annual report or not, Jerry Caplan wanted to grapple with that question and the people in public relations said absolutely they have written a report. The Reagan people didn’t like the report because they thought the report took some shots at the Reagan administration for being anti-poor and very frankly politically they wanted to kill it. So the strategy they used to kill it was they wanted to delay its issuance so they would have time to change it and put their imprimatur on it. And it got to be a huge political fight within the corporation whether or not the new president of the board could legally delay a document that Congress required. And I was in a staff meeting one day and I said this is bullshit you know if they want to delay they can delay it as long as they issue it. And I think that sort of ingratiated me to Jerry Caplan not at my intent but I think he got the sense that all these people here aren’t you know in an armed camp resisting there are people here who want to get the job done. So he started coming to me and to Buck and asking us more and more about what was going on exposing us more to the new board members and asked me in August, in June, he came on in April or May of 1981, ’82 I guess it was, ’82 and he asked me to become the executive vice president and I said I would and I took more and more responsibility for running the corporation actually, he was more focused on
the politics and on the board relations. Then in August of 1982 Jerry was scheduled to go back to teach at G.W. and the issue became who was going to replace Jerry until they selected a new president. And Jerry recommended me and actually left before any decision was made about who was to take over and issued a document purportedly giving me the powers of the presidency in the absence of a new president. That infuriated some of the Reagan appointees to the board and they had a secret meeting in Indianapolis at the insistence of Bill Harvey where they were going to undo this thing and throw me out of the corporation. Well the upshot of that was that some of the board members who knew me who were Reagan appointees I mean were supportive of the Reagan agenda decided that I wasn’t dangerous because I was fair in their own words and they said well we can’t have this corporation run by somebody who doesn’t know what they are doing so they decided to make me the acting president. That was one of the most intense periods of my lifetime in my professional lifetime because I felt that in the few months that I was in charge of that corporation that some key decisions might be made about the future direction of the legal services movement and I felt that part of my job was to educate as many of those board members as I could in order to ensure that they would pursue their responsibilities objectively and fairly and with the right amount of correct
data and information. We had them going on trips to programs, we drew up
analysis of their responsibilities under the statute and whatever they asked
me to do I tried to do it and frame it in the context of the legal requirements
and the legal obligations under which they were operating and in the spirit of
the statute under which they were operating. And I think in that short period
of time about five or six of those board members came to the understanding
that this program did not represent the illegal political agenda, it was not the
shot troops for Communist cells coming in to attack American institutions
and that sort of thing. So it took some of the steam out of the venom of that
board and some of those board members began to be viewed by other board
members as crazies you know and to the point that it became clear that some
of those board members because of their conduct would not be confirmed
and of course you know the president withdrew the names of all of the board
members for confirmation when he learned that several of them were too
radically tilted to the right and wanted to destroy the program were not going
to be confirmed. In the meantime obviously I was blamed for part of that
outcome and I remember vividly and I’ll never forget it Leeann Bernstein
who was brought in by the new board was in effect during my presidency
was in effect a spy for the chairman Bill Harvey who wanted to destroy the
program. She would come to board meetings I mean to senior staff meetings
and just take down every word everybody said and so I called Bill Harvey up one day and I said Mr. Chairman I think that you need to know what’s going on in our senior staff meetings. I will report those to you but I think you need a liaison to the staff so I’m going to remove Leeann as an assistant to the president and make her your assistant and that way she can take care of your needs and she may not attend our senior staff meetings. Well they were furious but I had to get her out of there and Bill Harvey and I had a conversation after that and he called me up and ordered me to reinstate her and I said look Bill we might as well be frank. This woman is disruptive, she’s a spy, she’s reporting things back to you that is not happening, she is my employee and her duty is to me and if you want to go the board and get me fired that’s one thing but I’m not going to have her in my office. I don’t want to embarrass her but you take her and he ordered me to reinstate her and I said look as I read the statute and the regulations of this corporation I work for the board I don’t work for you. I’m willing to be guided by your direction you know as an overall policymaker for this corporation but I have responsibility for the day to day and I’m not going to do it. And he told me look you think I’m going to allow you to hang my fanny over the fence without any pants or something like while I sit back in Indianapolis and let you run this corporation you’re crazy so at least we were honest with each
other. But were able to isolate I think people like Harvey and Olson sort of lay out their true agenda to the rest of the board and I think resulted in a more measured approach by that board to the program and led to some pulling back of the more radical changes that they wanted to take.

VG: Shortly thereafter you resigned from the Legal Services Corporation having served through two of its most critical periods of development expansion years during the late 70s and the transitional years during the early 80s. Can you tell me what you felt like that last day when you said goodbye and walked away from the corporation you had been part of so many years?

CL: I’m trying to think about my thoughts were. I don’t believe it was very traumatic for me. It was clear to me from the day that the new Reagan board was appointed that my continued tenure at the corporation had become untenable and my objective was to pursue a transition in the best way I could to make sure that the least amount of harm would be done. And when I met the new president of the corporation, it was absolutely clear to me that I couldn’t stay. When I left there was a board meeting on the day I was to leave and I wouldn’t go to that board meeting and some of the board members who had supported me gave me a plaque recognizing my service as acting president not publicly at the board meeting but on the side. And
very frankly I felt devalued, you know I felt that I had done my best for the corporation, I had devoted a good part of my life to this work my professional life and I felt devalued not in the sense of my own self but in the sense of a person and I think for a lot of other lawyers working in professional legal services that here were a group of political people coming in who had the power and the arrogance to force out and devalue people who I knew were doing things that contributed to the history of this nation. But I understood fully what it was and so after a day or so I was all right and I moved on.

**VG:** You had the occasion to work with a number of people during your years that are extremely well known in our community. I would like to ask your brief impressions of some of them, Tom Erhlich the president of the Legal Services Corporation when you first came there.

**CL:** Tom Erhlich was an extremely brilliant man, a keen sense of political reality what the real world was and could conceptualize issues and relate them to that real world. I’m not sure I ever understood what Tom Erhlich’s agenda was, why he took the job as president of the Legal Services Corporation and what his values were around that. I know that he believed very strongly in the right of poor people to have access to our legal system. I’m not sure of some of the other values that we had the law in this context
as an instrument of social justice and change whether or not he believed that you know I’m sure he probably believed in the idea and the concept but I’m not sure he believed that it in as a political reality through the Legal Services Corporation as an instrument but he did some extremely valuable work for poor people during his presidency. He moved the corporation forward in positive ways and I think he’s a very significant person in the history of the legal services movement in this country.

**VG:** Dan Bradley who succeeded him as president.

**CL:** Of course Dan was a personal friend. I didn’t know him as early and as well as people like Bucky but I did get to know him very well when I worked for him. Totally committed to issues affecting justice for poor people, superb political instincts, very engaging and charismatic personality and a person that I value and grew to love a great deal because of who he was and what he did, and we miss him you know, we don’t have many people like that doing this work.

**VG:** Bucky Askew.

**CL:** Bucky as I said is my partner, I have great affection, great respect and great love for Bucky. I was sorry to see him leave legal services but I think he’s probably doing the right work for himself and for his family, and for his state and his community. A person that was sort of the glue that
held a lot of the stuff together during the time we were in Washington and at
NLADA. Bucky had the humor and the humility at the same time to laugh at
us and himself and what we were trying to do and the humility to understand
that we couldn’t impose our will on field programs and individuals while we
held all this power and people trusted him and so Bucky being on the
telephone talking to people, reassuring people, coming back to us and
making us laugh at ourselves and understand how ridiculous some of the
things that we talked about doing were was a sobering effect and it
humanized and it grounded us in our efforts and Bucky is the kind of person
whose intellect he will sleep on because he hides it deliberately, and humor
and, sort of, self effacement and that sort of thing but he is one fine human
being and he’s still my partner.

VG: Joan Lieberman.

CL:  Joan is I haven’t figured out where I place Joan in my life at this
time and what she meant to it. I see a number of sides of Joan and I don’t see
it all yet. I think as time goes on I will. She was extremely brilliant, touched
a responsive cord in me because I think she lives in the world of ideas and
concepts as I do very often and tries to make the connection between what is
real and how those ideas and concepts can be merged and validating to the
reality and a lot of times people don’t understand that you know,   people
don’t understand communicating in concepts. They want you to tell them factually and concretely what’s what, but when you think about things you see things in disparate parts and ideas and they all come together as concrete manifestations when you begin to make the connection and that’s the way I think and operate and Joan was able to help me realize that that is the way I thought and worked out things and to make the connection in concretizing some of my ideas and concepts. So she was extremely valuable in that context. In another context I think that some of her ideas and experimental ways of doing things was puzzling to a lot of people and she was never able to communicate to a lot of people in our community what is was she was trying to accomplish for them and with them and thereby became a very controversial person in some quarters but she was an extremely committed person, brilliant, well rounded in reality, contrary to the belief of a lot of people but very vulnerable and saw life in some respects in the work she was doing in terms of her own life and vulnerability. I personally owe her a great debt and I think this community does. I think there are many of us in this community who love her and value her.

VG: Were there any other individuals you have really strong memories of during those years?
CL: There are a lot of people I think who contributed mightily, Clint Bamberger made a huge contribution, he was the vice president under Tom Erhlich, people like Judy Riggs who was an assistant to the president, brilliant woman, wrote the DSS study report, Mary Burdett superb lobbyist, Darren O’Connor who worked in the regional office brilliant, you, going to Atlanta, coming to Washington when we asked you to, helped us think through a lot of things, John Epstein you remember, a lawyer who I had worked with in Newark, I called him and we used to spend hours and hours thinking and working through problems and issues and all of that, people who Walter Thompson who was in northern Virginia, a very quiet man but at times would call me . . . on some issues and some things challenged me to be more sensitive to a lot of other concerns that needed attention and had sort of gotten lost in the shuffle. I guess I have to go back and really spend some time and think of all the people who were significant. Alan Houseman you know just a brilliant dedicated man. We had a terrific community.

VG: You then after leaving the corporation became the executive director of NLADA National Legal Aid and Defender Association you are still currently in that position. Can you tell me over the years the goals that you set for yourself and NLADA the major accomplishments you think NLADA has achieved since you became the executive director in 1983.
CL: Yeah in the aftermath of the transition of the corporation to courses that don’t share our values and really in my judgment don’t understand the needs of the American people to make our legal system available to everybody in a qualitative kind of way I sort of saw NLADA as the instrument to carry this forward on the civil side and on ... which NLADA is. Basically I tried to understand NLADA in the context of its history and its articulated mission and purpose which I believe is a dual line of providing ... and support to those people who are members individuals and local ... and support to have them do the best possible work that they can for their clients and again it’s a very complex mission because we don’t deliver service, we don’t sit down across the table from clients and work in the trenches every day. And so we have to find a way to ... the needs the wants and desires of our membership while at the same time be very careful to preserve the values of the institutions and where they become confused with what some of our members may want from time to time we can use our leadership to cajole, to try to make sure that the two are consistent you know the wants and desires and needs of our members and the overall mission of the ... which is to help provide legal representation quality legal representation to poor people. NLADA has been a particular challenge for me in many ways. I had the opportunity to help reshape the entire institution
and to build in some security for the institution that it certainly didn’t have when I went there. The work is unfinished so I’m not clear yet about how good job I’ve done but will continue to work on it. It is extremely valuable work . . . right now and what is important I’ll be there.

**VG:** Well thank you . . . major forces in the delivery of quality of legal services and its development over the last 15 years. It is my personal privilege to work under your leadership both at Legal Services Corporation as well as NLADA . . . board member and committee members. On behalf of the clients and . . . and community and all people who believe in equal access to justice for the poor I want to thank you very, very much for sharing our thoughts with us this afternoon.

**CL:** Well thank you it was fun and I hope it can be useful.