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Interview with

John Erlenborn

Conducted by Don Saunders

July 30, 2002

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Congressman John Erlenborn

Interviewer: Don Saunders

Interview Date: July 30, 2002

Transcriber: Virginia Dodge

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SAUNDERS: I am Don Saunders. I am the director of the Civil Legal Services Division of the National Legal Aid and Defender Association.

This morning, we're in the Rare Books Room of the National Equal Justice Library here in Washington, and it is my distinct pleasure to interview former Congressman John Erlenborn from Illinois.

Mr. Erlenborn's career has spanned the Legal Services movement at the federal level throughout the -- its history in this country. John was a member of Congress from 1965 through 1984, critical years in both OEO, Legal Services and the development of the Legal Services Act and LSC.

John, subsequent to that, has been appointed by two Presidents to the LSC board, President -- former President Bush in 1989 and President Bill Clinton in 1996.

John has a great deal of experience with Legal Services, and we're very happy today that he's going to share his recollections of those experiences with us.

ERLENBORN: We can begin anytime.

SAUNDERS: Good morning, John.

Before we begin with some of your recollections about the early days in the Congress and OEO and Legal

Services issues, tell us a bit about your early career prior to you becoming a member of Congress.

ERLENBORN: Well, I'm from Illinois, and I got my legal education at Loyola in Chicago in the late '40s. And in 1950, I was admitted to the Illinois bar, and I was practicing law for a year with a law firm, small law firm, with two lawyers, two partners, and I was the one associate.

But after a year, then I was given an opportunity to join the state's attorney staff. So I worked as an assistant state's attorney for about two years. And then I left and just -- I was -- I'm having trouble with this.

Was able to live on a income from a law practice, a small law practice which was building, when I had an opportunity to run for the state legislature. And I was elected to the Illinois General Assembly in 1956. I was in the legislature for eight years. In 1964, I ran for Congress, was elected and served 20 years.

SAUNDERS: During your time in Congress, when did you first become familiar with Legal Services and OEO? How were you involved in those kinds of issues?

ERLENBORN: Well, the OEO was controversial, as most people who were living at that time and watching what was

going on, they knew that there was a lot of controversy over the war on poverty.

And it didn't really come into my arena until 19 -- the early 1960s. I got that wrong again, didn't I?

Editing.

SAUNDERS: Sixty --

ERLENBORN: 19 -- yeah. '60s.

SAUNDERS: Late '60s/early '70s.

ERLENBORN: Yeah. Early '70s.

SAUNDERS: Yeah.

ERLENBORN: But at that time, there was a new president, President Nixon, and he wanted to disband the OEO, which he did, with the help of Don Rumsfeld, by the way, who left Congress, left the House of Representatives, to head the OEO with the charter to disband it and get rid of its parts.

There were two parts of OEO, though, that were very popular and, I think from a political standpoint, difficult to dispense with. And that was Head Start and Legal Services.

So the jurisdiction of the legislation to create a corporation to house the Legal Services Corporation, that jurisdiction was in two parts. One went to the

judiciary committee. Obviously this was Legal Services, and judiciary committee had to be involved and properly was.

But the OEO was in the jurisdiction of the education and labor committee. And I was one of the senior Republican members of that committee and got involved in the process of creating the corporation by the passage of legislation.

SAUNDERS: And you and Congressman Steiger were sort of the leading Republicans on that committee in terms of handling Legal Services issues.

If you could, just for -- for the historical component here, share a few of your memories of Bill Steiger, what he meant, how it -- what issues he cared about and what he did with you in those early days of the Legal Services Act.

ERLENBORN: Well, first of all, Bill Steiger was a young man. When he entered Congress and the House of Representatives, he was one of the youngest ever to be elected and qualified to take the seat. So he was in his mid-twenties when he entered Congress from Wisconsin.

Bill is a very sharp young man, not a lawyer, but steeped in good thoughts and motivated in a possibly

more liberal way than many of the Republicans in the Congress. But Bill and I became very good friends with a number of other members of the House.

He unfortunately passed away quietly in his sleep a few years after the Legal Services legislation was enacted. But he was a real driving force, not just in that instance, but in many of the issues before the Congress, particularly those that came to our education and labor committee.

SAUNDERS: Now, in '71 and sort of the beginning effort, as you suggested, to move Legal Services out of OEO and into a separate organization, there was the -- the Mondale-Steiger bill, which passed in a form a little bit different than introduced. But that bill was vetoed by President Nixon in 1973.

It was really in 1974 that the bill began -- the bill that became the Legal Services Act, Corporation Act, passed the Congress. And you were right there at the formulative stages.

Share with us some of your recollections about that bill and -- and your role in getting it passed.

ERLENBORN: Well, the one that was vetoed, I believe was vetoed because the President felt that the chief executive -- he was President then, but others in the

future, he was thinking of too.

The chief executive, the President, was not given sufficient control over deciding who was going to be on the board and therefore championing the cause and taking the authority of the corporation and building something new. So I think that's why the veto.

The President, I think, did feel that politically, it was a good idea to have the Legal Services Corporation. And as a matter of fact, I think as an attorney, he made statements as to how important the Legal Services Corporation would be.

So that's what we were working on there in our committee, Bill and I both being on the education and labor committee.

SAUNDERS: And once -- I assume the -- the judiciary committee was certainly involved in a number of things related to the President at that point, that the education and labor committee really was the committee that hammered out the details of the legislation and really saw it through. Is that your memory of it? What was the judiciary's role in all of this?

ERLENBORN: The judiciary committee, I think may have been distracted. There was something that involved the President going on at that time, and that was -- I

wouldn't say that kept the judiciary committee from doing the job, but I think that they were more interested in impeachment, which was the thing that had everybody --

SAUNDERS: Sure.

ERLENBORN: -- wondering what was going to happen.

SAUNDERS: So -- so as ed and labor addressed it, Carl Perkins was the chairman of the committee. And who do you recall from the Democrat side on that committee sort of leading the -- the charge for -- for the Legal Services Corporation?

ERLENBORN: Well, just at the moment, I really don't recall.

SAUNDERS: As the bill worked its way through the committee and then went to the floor, you were the Republican floor leader for the debate; is that correct?

ERLENBORN: Correct. I outranked Bill Steiger because I had been on the committee longer than he. So I was -- I was not the ranking Republican, but I was high in the seniority of the Republicans on the committee.

SAUNDERS: And do you recall the controversies around the bill, that it -- was it an easy bill as you -- I know you were leading the fight for the -- for ERISA at that point. You were really the leader on that, but how did the Legal Services bill move?

ERLENBORN: My -- my recollection is hazy, frankly. I don't think that it was an easy task. In fact, I know Terry Lenzner was coming in and talking to us quite often. And when he showed up, we knew that there were some things that were in the works that he thought we ought to be aware of and working either to help get amendments passed or to fight to keep them from being adopted.

SAUNDERS: Terry Lenzner was the head under Don Rumsfeld of OEO Legal Services. And I remember you were fighting issues such as amendments to prohibit Legal Services attorneys from being involved in cases where the government was -- was a party, where there were several controversies that came back to Washington from California, the CRLA veto by Governor Reagan, then Governor Reagan.

Those were all sort of called up in the fight on the Hill, but it still passed by a fairly comfortable margin.

ERLENBORN: Right.

SAUNDERS: And it was the last bill that President Reagan signed into law -- excuse me -- President Nixon signed into law before his resignation.

ERLENBORN: And interestingly enough, the ERISA bill, which

was working its way through, was the first bill that Gerry Ford signed as President.

SAUNDERS: You were certainly there during the transition, weren't you?

ERLENBORN: Correct.

SAUNDERS: Must have been a very busy time -- time for you.

I suppose in those final days when the bill was signed into law, the administration was really so distracted that probably there wasn't much attention being paid to legislation -- than those stories about Mr. Nixon signing this bill at the last minute, I don't suppose.

ERLENBORN: I think you're -- you're right about that. And let me just give you an example.

During that period of time, I received an invitation from the White House to join the President on the President's yacht for dinner. And he had a number -- I don't recall how many -- but usually on those trips, we would have or he would have as his guests, oh, six or eight members of both the House and the Senate.

It worked out that that particular day, we had a bill on the floor of the House that went on -- the debate went on much longer than expected. When it came

time to go and get on the President's yacht, they were still working in the House.

I thought it was more important to go and have dinner with President Nixon. And most of the other members who had been invited thought otherwise. So I was almost alone. I think there were only three of us, one senator and another House member, on this particular dinner cruise.

But in talking with us at that time, President Nixon was very outgoing and had a lot to say, but I noted at one point when he was talking about the president of Egypt, he came up with the name of the prior president rather than the current president, so I think he was somewhat distracted.

SAUNDERS: Somewhat distracted.

I think we would all like to delve into the details of that evening, but it's probably beyond the scope of our --

ERLENBORN: Cocktails and dinner.

SAUNDERS: 50-year-old Ballantine Scotch.

Well, then I suppose the jurisdiction of LSC shifted over to judiciary and you were less responsible in labor, where you became the ranking --

ERLENBORN: That's correct.

SAUNDERS: -- Republican member.

ERLENBORN: Right.

SAUNDERS: But I'm sure you followed the rollercoaster ride of expansion during the Carter years, and then President Reagan came to -- to Washington with memories of CRLA, and Ed Meese was sort of designated to once again get rid of LSC.

Are there any recollections you have of those bitter fights in the early '80s? Because you certainly relived them a decade or so later.

ERLENBORN: I don't have too many current recollections of those days, very frankly. I know that it -- it continued to be controversial. It was in the initiation when the bill was passed and created. The corporation continued to be controversial. And of course that almost culminated when -- when Mrs. -- I am at -- lost for the names -- Mrs. -- when Mrs. Clinton was chair of the board.

And the corporation was very much into having grand lawsuits to change the law rather than taking care of the needs of individuals, which most of us thought was the principal job of the corporation.

SAUNDERS: You think about President Nixon, Senator Clinton, Ronald Reagan. I mean, this -- this small little

program has been played out with many of certainly the leading actors of the latter part of the last century.

You left Congress in 1984.

ERLENBORN: Voluntarily.

SAUNDERS: Voluntarily, absolutely. To pursue other interests. And how in the world did you get driven back into the battle for legal services for the poor in this country?

ERLENBORN: Well, it came as kind of a surprise to me. I at that time and continue today to serve on the board of directors of Custodial Trust Company, which is a wholly owned subsidiary of Bear Stearns. And I recall attending a board meeting in New York at the Bear Stearns offices.

And during the board meeting, they sent a note in saying that there was somebody on the phone who would like to talk to me. It was very important. So I went out and answered the phone.

And it was Warren Rudman. Warren, at that time, was not in the Senate. He was practicing law here in Washington. But if there was ever anyone who had an important role in the Legal Services being protected and fostered and so forth, Warren Rudman certainly takes the cake there.

But Warren said that there was a -- an opening on the board of directors of the Legal Services Corporation and would I consent to take it.

And my response was "Warren, I thought we were friends. Why would you want to do this to me?"

Because it was really highly controversial at that time. About half of the board was dedicated to destroying the corporation and the other half just as dedicated to protecting the corporation.

And anyhow, he talked me into it, and I got into the middle of that mess. That board of directors, when they met, it was almost bloodshed every time. It was just -- it was nasty. And it was a very uncomfortable time to be on the board.

But I was on for about a year when the Farm Bureau Federation decided that they wanted the corporation's board of directors to endorse legislation that would take some of the authority of the corporation away.

And I was approached by a representative of the Farm Bureau Federation. And I told her that I just wasn't going to be voting on this one way or the other. It had been pointed out that our -- the law firm I was with at that time was a labor law firm and got very much into agricultural producers labor. And so we had

a lot of interest, a lot of our law practice involved, the kind of legislation that the Farm Bureau was talking about.

Well, that didn't satisfy the Farm Bureau. And so their representative sent out letters to our clients. I don't know how she got the list, but sent out letters to our clients saying, "We don't know why you would be using Seyfarth Shaw as your -- as your lawyers when one of the partners in the firm is working against you and against the wishes of the farmer and agricultural producer members of the Farm Bureau."

And I was pretty well-supported by my law firm until quite a few of the people who had been contacted by the Farm Bureau who were our -- our clients decided that they were going to talk to the chairman of the board of our firm.

And it became uncomfortable. The other members of the firm, the other -- the other partners began to feel a little bit nervous about the situation.

And I decided that I would resign my seat on the board because it just wasn't worth it to go through that and to put my partners through it. That was the most important thing.

SAUNDERS: I think through -- through the years, the

greatest controversy of the work of legal aid lawyers has been around representing agricultural workers. And obviously that led to a lot of what the CRLA fight was about, the Reagan fights, and obviously yours was a very public and difficult follow-up to -- to that kind of controversy.

Well, then the pendulum swings back in 1992. Former chair of the board, Hillary Clinton, is First Lady. Bill Clinton is appointing a board at a time of great hope and energy in the Legal Services community.

And you for some reason come back to this battle. How did you get -- after being appointed by former President Bush, how did you somehow manage the deft political maneuver of being appointed by President Clinton?

ERLENBORN: Well, again, some of the friends of Legal Services contacted me and said that there was this opening.

As a matter of fact, a couple of the Republican members of the board came and -- invited me for lunch, and we talked about this. And they convinced me it was a good time to go back on the board.

And so I decided, having been kind of forced off earlier, I wanted to go back on. And I was no longer

practicing law. I was no longer with the law firm, and I knew that they couldn't pull that trick on me again of getting our clients talking to the firm.

SAUNDERS: And of all your involvement in the movement over the years, I think clearly the most important part has been this time and your tenure on the board.

Once again, the pendulum shifted very dramatically in 1995 with the election of Newt Gingrich as Speaker. With determined effort, one of the Contract with America's points was the elimination of the Legal Services Corporation. We were put on a, quote, "glide path to zero" in the House of Representatives.

Those of us who worked the Congress around those years were very concerned about whether or not there would even be a Legal Services Corporation after around the time you came on. I think it's generally recognized that your leadership and that of John McKay had a lot to do with getting the corporation through those years.

Tell us -- tell us about the Gingrich years, the first 104th Congress. What were you doing?

ERLENBORN: Well, first of all, when I went back on the board, my name had been sent up to the Senate for confirmation, but they had not acted on it yet.

When Doug Eakeley, chair of our board of directors, LSC, invited me to their board meeting that was coming up and I attended, at noontime, there was a break to go and get a sandwich and talk informally.

And Doug said to me, "Oh, John, what would you do? What do you think we can do to aid in protecting the Legal Services Corporation in keeping it active?"

And I said, "Well, I'll tell you one thing. These new restrictions that Congress is about to enact" -- and we knew that they were going to go through, and anybody who was aware of the content, those restrictions were terribly important.

I said, "One thing you want to do is not fight the Congress, and try to go to court and knock out the -- any of these restrictions that have been enacted by the Congress."

And Doug said, "That's exactly our feeling too."

We had a board of 11 members. Six were Democrats, five Republicans. And as I told the appropriation subcommittee that handled our bill after that, when I joined the board, I could not tell who was Democrat, who was Republican, who was liberal, who was conservative. We were all working together.

And they also -- they surprised me when I told

them what they ought to do is to implement the restrictions.

And Doug said, "Oh, well, we already have the regulations drafted. All we have to do is to enact them after the Congress does pass the bill with the restrictions in it."

And that started something that continued on under President McKay.

John McKay is a young -- and at that time, a little bit younger -- Republican, conservative, from the state of Washington. And he was chosen by the board.

And I think one way you might describe this was he looked like, sounded like and acted like the kind of conservatives who were giving -- giving us a hard time on the Hill.

Well, I went with John on many occasions up to talk to these members of Congress. And I think that we -- we changed some thinking. We had a very active program of going on the Hill, talking not just to those that we wanted to convert, but also those who had been our supporters to see that they continued to be.

And so we had that first reduction. About one third of the total budget was rejected by the

appropriations committee and the Congress as a whole.

But it turned around right after that. And I think it was John McKay's efforts and his believability. And I helped by being able to get in to see members, having known so many of them that were involved.

SAUNDERS: As I recall, that political effort, and we were involved in it as well, was -- really was focusing on a core of the moderate Republican members of the House, and those people, I think, stand with LSC to this day.

ERLENBORN: That's -- that's correct. It -- there is bipartisan support, and there is more bipartisan support today than there was three or four or five years ago.

SAUNDERS: Then following through that and continuing to be, I think, the leader on the Hill fight, at least from the board level, you were vice chair of the board for a number of years.

You then became president a little over a year ago at a time of transition yet again in this program. You remained on the board, but you did decide to serve as president of the corporation, again upon the call when your help was needed.

What made you do that?

ERLENBORN: Well, when John McKay became president, he promised to work in that position for a year. At the end of the year, we extended, with his consent. And then at the end of the extended year, we had a third year.

At the time that you're referring to back in the spring of 2001, John was hoping to get an appointment from the new administration, the Bush administration. And as a matter of fact, he was in line to get that. And so he gave his report to us that he thought that he should get off the Legal Services as president. He had enjoyed and did a good job in the years that he served in it. But he was looking forward to taking this position, which he finally got, as U.S. attorney out in the state of Washington.

That left us with a board that was composed of all holdovers. We had three-year terms. And I don't think there was anyone on the board -- I'm the youngest on the board. I was on for quite a number of years, and there were about three years more that the other members of the board were on.

And we were looking forward to the new board, to be nominated by the new President Bush. And when they came in, we expected that most, if not all, of the

current members of the board would go off.

The members of the board are the ones who choose the president. So it was -- one day, I got a call, we were going to have a number of the members of the board not in an official meeting, but just let's talk.

And they said that they didn't want to start a presidential search and choose a president when we have a new board coming in. It really ought to be the prerogative of the new board of directors.

But they had to have somebody who would be president until the new board was finally named, confirmed and had a chance to do a presidential search.

And so they all looked at me. I suppose one thing is I live closer to the office than anyone else, but they talked me into it. In fact, I kind of looked forward to doing it. I've never been a chief executive. It's a much different job, I can tell you now with my years experience, than being a member of a legislature where you have to convince a majority of the members of the committee or of the House or the Senate.

But it's -- and it's one that I've enjoyed doing.

But I went home from that meeting and I told my wife what I had done. I hadn't consulted her. I just

said I had agreed to take the presidency until the new board had acted.

And when I told my wife that, she said, "Why in the world would you want to do that?"

And I said, "Because I thought it would look good on my resume."

SAUNDERS: And you didn't expect a long tenure in this job, did you, John?

ERLENBORN: No. No, I didn't. At the time that I took this job, back July 1 of last year, a number of people asked me how long I thought that I would be in that position.

I said, "Oh, anywhere from six months to a year."

Currently, people ask me how long I think I'll be in the position, and I continue to say, "Six months or a year."

SAUNDERS: And who knows where the next step in this saga might take us.

Well, share with us a bit, now that you have been a member of the longest-serving board, continuing-to-serve board, in the history of the corporation, what are some of the initiatives that you feel particularly proud of, either as a board member or as president, and what are some of the controversies you still have to -- to manage in your position?

ERLENBORN: Well, first of all, let me say that the things that have occurred in the last several years, John McKay was the one that I think was most responsible for these things having been done, and I think that they've been really great for Legal Services and other service providers, even those that are not funded by LSC.

State planning was the first thing. State planning, I think was a bit controversial, but I think it was one of the best steps for having a rational approach to how we would fund and provide oversight for the grantees of the Legal Services Corporation.

I look at it, and I think from '74 on, it was kind of -- I would use this as a comparison. It was almost as though we were in virgin territory and were trying to find our way. And so we followed the paths that the animals followed, you know. Follow where the deer went or the -- whatever. Bear, whatever.

And that's the way we were drawing the borders for the Legal Services Corporation. There was no particular sense to the way that it was done.

And so state management of this, having people within the state work with those who are the service providers and those who are the funders to get a rational approach to what is done in the state.

And it would bring together and has brought together the non-LSC-funded with the -- those who are funded by the LSC. And so we have really a chance to do a job of making the borders rational and working with the other non-funded legal service providers so that we have a consistent whole rather than a piece here and a piece there and nobody knowing what the other fellow's doing.

That's -- that's one thing. And then part of that led to reconfiguration. And we abandoned the wild trail method and tried to have the reconfiguration done on the basis of some planning. And here again, looking at the state as a whole.

SAUNDERS: That obviously is taking a lot of your time and the staff's time, has created a good deal of impetus toward change and controversy within the field, but you feel as if it's on track and has accomplished a lot.

ERLENBORN: Yes. It has accomplished a lot, and we've reduced -- and I don't remember the exact figures, but reduced the number of LSC-funded service providers. We have about 170 at the current time. And I think we started out with something like 220 or 230.

Now, the goal wasn't to reduce the number just to be reducing it. It's to make it a rational approach to

how the borders are drawn and how the LSC-funded can work with the non-funded.

So it has worked, I think, quite well.

SAUNDERS: A little closer to home, I know you've been putting a lot of your energy and time into creating a home, a permanent home, for the Legal Services Corporation. Tell us a bit about that.

ERLENBORN: Again a McKay initiative. John had the concept, which the board adopted, that if we had a building of our own, it would be a sense of permanence in the legal service. We've been on the cusp of dying over the course of the last number of years and -- I mean snatched from the -- the actual dismemberment of the corporation. Now we want to get that sense of permanency.

Part of this is going to be in getting better funding, but having our own building would say to the world the Legal Services Corporation is here, and it's going to stay here. It is permanent.

When John left, it had not yet been brought to fruition. It has been done in the interim.

First of all, it was discovered in talking to OMB, Office of Management and Budget, that if the corporation, LSC corporation, itself were to purchase

or build a home, an office building, that that would then be charged for budget purposes all in one year. And if you bought a building as we have done, that would be scored as part of the funding.

And that would then -- unless we got additional funding and considerable additional funding in that year, according to the -- the way they counted it, it was going to take away from the field funds for the grantees who desperately needs -- need those funds and even more.

So it was decided what we could do and we did; created another corporation called Friends of the Legal Services Corporation. It was charged with the finding and acquiring and then continuing to own and manage a building.

We found one, 333 K Street on the edge of Georgetown. It's a -- it just seems to be perfect for our needs. A very nice place to have your office. We had the canal behind the office. We had the river, Potomac, in front of the office. And I understand that there are plans on the water for a two- or three-hundred-seat floating restaurant. So that'll be a nice thing to have right there at our front door.

But the important thing is now that we have the

property, we're going to have to have the build-out. We probably won't move in until about May of next year.

But it's all worked out, and it's worked out with the help of the Gates Foundation, who have made a substantial commitment to help us fund this purchase.

SAUNDERS: In spite of the progress and your excitement over some of the initiatives, you remain also vigilant on those who oppose the concept. I know Representative Barr has asked the GAO to once again study the work of your grantees.

What are you doing with regard to that and any other problems that may be facing the corporation under your tenure?

ERLENBORN: Well, in the past, Bob Barr had asked the general accounting office to investigate the case service reports. That -- that particular problem was resolved. Got a report from the GSA, general -- from the general service, to make some changes in how we count the cases that are reported to the corporation.

The current investigation was called for by the internal inspector general, the IG of the Legal Services Corporation. And he will be conducting this. It probably will not be completed for, oh, maybe another six months or so. I don't think we're going to

have a problem.

One of the prob -- one of the things that he wants the IG to look at is the Websites that are being shared by a number of different organizations. And what I think, and I think it may come out this way with the IG's study, that this is akin to having a telephone company where a lot of people use the telephone, but if a -- if someone who is -- let's say a felon or someone of ill repute uses the telephone, that doesn't poison the whole telephone system.

And I think that this is the kind of approach that the IG may very likely take.

SAUNDERS: What has been your experience in getting out and meeting your grantees and seeing the work of the programs that you fund? What has impressed you about that?

ERLENBORN: First of all, I've not done as much of that as I might have, having some health problems last year and on into early this year. Now I'm 110 percent recovered.

I've enjoyed going out to some of these grantees. Just yesterday, as an example, I was at a conference in Chicago for LSC grantees and other non-grantees that are all in the legal services business. And they had

about 250 people there at this affair where they gave me a -- an award, plaque, to put on the wall.

When they had called and talked to my staff about possibly attending, I was then told by the staff that they said that they were going to be giving me award -- an award for -- a lifetime award of service.

And I said to them, "You think it's over now? Now they're going to cap this off for me?"

But actually, I really enjoyed going there. Saw a lot of friends from Illinois, that being my home state. And I'm impressed with what they've done.

Illinois, for instance, when they started state planning, very quickly decided that they were going to have only three service providers for the whole state instead of five or six as they had had before. I think that that may have been done even without the encouragement of the corporation.

But we have people who are really dedicated. You don't make a lot of money working for Legal Services. And there are lawyers who have worked for 5, 10, 20 years and more with Legal Services Corporation-funded grantees.

And they do it because they love it. They do it because they know that justice delayed or justice not

given means that we all are losing a little bit of our -- of our rights. If we want people to follow the law, obey the law and then tell them they have no access to remedies in the law, that just makes no sense at all.

SAUNDERS: Well said.

By choice or circumstance, you've been joined at the hip with this program for most of your career, at least in Washington.

We once again as a community face challenges. IOLTA is going to be argued in the United States Supreme Court this fall. We continue to see stagnant budgets despite your best efforts at the federal level and additional pressures on funding sources.

In that context, where -- what's your view of the future? Where are we going in this country in keeping that promise of equal justice to all of our citizens?

ERLENBORN: I think that it's past time now for the corporation to get very serious about pushing for more funding. This -- the budget of President Bush for 2003 would be a repeat of what we had the last two years. So we've had no increase now or will not have an increase for three years unless something strange happens in the Congress right now and the bill for 2003

appropriation happens to be increased over what the President called for.

But I think it's long past time for us to be pushing for substantial increases in the budget. We were over \$400 million before the Congress -- the Congress cut back in that first step toward going out of -- putting us out of business. So we went down substantially.

And we've gone back a little bit, but here we are, maybe six years or so from when it was first substantially cut back, and we've only recovered a small portion of that cut.

So I think that we should be mounting -- and I'm going to tell the new board this when they come on. Of course, it will be up to them to make the decision. But I think it's time to really push for more legal services funding.

If you really believe the promise that's embodied in the bill that was enacted to create the Legal Services Corporation, then we have to serve better than 20 percent of those in need who are eligible for our services. And that's about what we're able to do. 80 percent of those who have a need and would go to us for help have to be turned away because we just don't

have the funding.

And we want to see that that promise is kept, and that means considerable increase in funding.

SAUNDERS: Well, John, you certainly have been a stalwart supporter and critical player in the move toward equal justice in this country over the years. It's really been my pleasure to share some of these recollections with you.

I wonder in closing, is there any final comment you might like that you haven't had a chance to get out?

ERLENBORN: Oh, so much that I probably shouldn't start.

Let me say another thing that I think was very important in the past number of years is the fact that the corporation actually provided extremely good legal services for the corporation and for the Congress.

What I mean is that the restrictions that were enacted back in 1996 have been supported in the courts by the Legal Services Corporation. It has changed the thinking of a lot of members of the Congress. They now see us not as trying to create new law against what they would like to see. And I think that that has been a very important part of resurgence of support of the Legal Services Corporation.

SAUNDERS: John, thank you very much.

ERLENBORN: Thank you.

I didn't think we could do an hour.

SAUNDERS: We just about did. Thank you. That was a nice
job. Very nice job.

FEMALE SPEAKER: Thank you so much. Thank you so much.

ERLENBORN: Thank you. At points -- this happens when
you're 75. At points, sometimes you can't find that
word that you were looking for.

(Conclusion of interview)

