

Kentucky Equal Justice Center

Board Minutes

July 14, 2022

Board Members Present: Tiffany Pyette (Client Member); Bob Brown, Rick Clewett, Lisa Gabbard, John Rosenberg (Community Members); Amanda Young, Jefferson Coulter, Joshua Crabtree, Robert Johns (Program Directors); Kristin Alexander, Jacob Taulbee (Staff Reps).

KEJC Staff: Miranda Brown, McKenzie Cantrell, Ben Carter, Gaby Dawson, Yoko Dionisio, Raaziq El-Amin, Angela Evans, Michelle Haubner, Allison Hight, Ebony Lee, Tyler Offerman, Shannon Rempe, Rich Seckel.

Welcome and Introductions

As the group gathered on Zoom, members greeted each other. Chair Bob Brown called the meeting to order and invited KEJC Director Rich Seckel to conduct a roll call.

Bob congratulated Maxwell Street Program Director Angela Evans on her election as Fayette County Attorney, with a term to begin in January 2023. Bob said he was pleased to learn that KEJC would have the benefit of Angela's contributions until December 15.

Highlights of Recent Activity

Bob recognized Rich to present highlights of recent activity. Rich said highlights included:

- **Housing Stability:** Receipt of a proposed grant agreement from Kentucky Housing Corporation for the first year of a potential multi-year grant to KEJC, with subgrants to the regional LSC-funded programs, to provide housing stability services;
- **KTAP improvements:** A briefing by DCBS staff on their planned improvements in Kentucky's cash assistance program for children and families, including a 100 percent increase in the maximum benefit and more favorable treatment of two parent families.
- **Food Justice Funding:** New grant funds from the Center on Budget and Policy Priorities to support food justice work, with a special focus on SNAP rules, and with subgrants to legal aid and community-based partners;
- **Friendly primaries:** Though separate from KEJC advocacy, primary victories by board member Dan Wu and Maxwell Street director Angela Evans, suggesting that Fayette Co. voters were open to new and diverse candidates and to progressive policies.

- **Board participation:** The willingness of all current KEJC board members with expiring terms to continue on the board, suggesting they were engaged in something that was “worth their time and doing some good in the world.”

Approval of Minutes

Bob Brown invited a motion on the minutes of the last board meeting.

- Motion:** John Rosenberg moved to approve the minutes of the April 26 board meeting.
- Second:** Lisa Gabbard
- Action:** Approved unanimously

Administration: Financial Report through Q2 2022

Bob next recognized Rich to provide the financial report. Rich began by recapping the cover sheet of the report in the board package, as follows:

Profit and Loss Budget Overview FY 2022: anticipated a loss of \$144,463 to be offset primarily by one-time carryover funds.

Profit and Loss through June 30: showed a gain of \$28,392 compared to the expected loss of \$50,241—a positive variance of \$78,633 despite \$31,435 in Vanguard brokerage losses.

Balance Sheet as of June 30: showed Total Current Assets of \$746,420, up from \$676,433 on March 31, and up 3.64% from \$720,185 on June 30, 2021.

Income and Expense Charts: 84.43% of spending was payroll. 73.19% of income was from grants.

Rich predicted carryover at the end of 2022 at \$853,864, taking into account both the budgeted loss for the year and the projected remainder of new grants. He said that unrestricted funds had held up well so far, at an estimated \$259,842 on June 30.

Rich said that income through the second Quarter was running at 106.95% of budget, with expenses at 88.23%—a favorable ratio, though driven in part by staff vacancies. He estimated that unrestricted funds would last 2.45 months and total reserves 7.03 months if KEJC had to operate on them alone, a good indicator of financial health.

Turning to recent fundraising, Rich said that KEJC had been awarded several grants that had not been predicted in the budget, including:

- \$35,000 in project support for Food Justice advocacy from the Center on Budget and Policy Priorities

- \$70,000 from MAZON: A Jewish Response to Hunger, representing a one-year extension of its initial three-year start-up grant
- \$422,000 as KEJC’s first year share of the new Kentucky Housing Corporation grant for eviction prevention and housing stability
- \$50,000 from the National Low Income Housing Coalition to support housing advocacy, including work with allies and members of Congress

Rich said that the largest pending grant was the Victim of Crime Act proposal to the Kentucky Justice Cabinet to help immigrant victims of crime through Maxwell Street Legal Clinic, a project now in its fifth year (\$211,643).

Administration: KHC Housing Project Agreement

Bob invited discussion on the proposed agreement prepared by Kentucky Housing Corporation for the first year of what could become a multi-year grant to KEJC and legal aid partners to provide housing stability services.

Under the agreement, KEJC would serve as the administrative hub of a statewide effort to connect people with rental assistance and legal assistance in eviction when needed. First year funding totaled \$2,050,000, with program shares ranging from \$347,090 to \$485,470, and with caps on shares for administration and services.

KEJC’s share under the grant would be \$422,000, with a \$52,000 cap on the administrative share. During discussion, legal aid program directors expressed concern that the reporting requirements under the grant not be more complex or burdensome than required under revised Treasury Department guidance. Chair Bob Brown added that he was concerned about the indemnification provision at Section 20.

Following discussion, the board approved two motions, as follows:

Motion: Bob Brown moved move to authorize Office of Kentucky Legal Services, Inc., d/b/a Kentucky Equal Justice Center to enter into a certain agreement with Kentucky Housing Corporation (KHC) styled "Kentucky Housing Corporation Emergency Rental Assistance 2 Grant Agreement," a copy of which shall be included in the Minutes of this meeting of the Board of Directors, and to execute said Agreement and to deliver such Agreement to KHC, all such actions to be performed by Rich Seckel, Executive Director.

Second: John Rosenberg
Action: Approved unanimously

Motion: Robert Johns moved to encourage KEJC and the four regional Kentucky Legal Services programs to continue discussions with Kentucky Housing

Corporation to clarify reporting requirements under the revised Treasury Department guidance.

Second: Jefferson Coulter

Action: Approved unanimously

Bob asked whether KEJC could proceed with hiring staff to implement the KHC grant. Rich said Michelle Singer at KHC had indicated a willingness to advance up to 10 percent of grant funds. Especially with an advance, Rich said, hiring could start soon with a focus on the attorney position and with a start date as early as September 15.

Governance: Report of the Executive Committee on Judicial Nominations

Bob Brown reported on Executive Committee discussion about whether KEJC should take a position on a rumored nomination by President Biden for a federal judgeship in Eastern Kentucky. Bob said it was an issue of first impression in that KEJC had not taken positions or advocated for or against judicial nominations in the past.

Bob said the committee had reached a consensus that KEJC should not take a position on a judicial nomination without a vote of the KEJC board. Senior Counsel Ben Carter said that the American Civil Liberties Union took a similar approach, requiring a vote by its national board.

Governance: Board Committees

Bob reminded the group that said he would like to fill out the membership on the Nominating Committee and constitute a new Fundraising Committee. He invited volunteers. John Rosenberg volunteered to be a member of the Nominating Committee.

Governance: Community and Client Members

Rich said that all current board members with expiring terms had expressed interest in a new term, including Community Members Lisa Gabbard, John Rosenberg, and Dan Wu and Client Members Aka Kpla and Tiffany Pyette. He said the Executive Committee recommended nominating all of them from the floor for new terms.

Motion: Rick Clewett moved to approve new terms for all board members with expiring terms who wished to continue in their positions.

Second: Robert Johns

Action: Approved unanimously

Rich said that board action on continuing members would allow the Nominating Committee to focus on departed member Chris Frost's unexpired Community Member term and a third Client Member slot authorized under the bylaws.

Governance: Strategic Plan Volunteers and Implementation

Bob asked Rich to give an update on implementation of elements of the Strategic Plan adopted the previous fall. Rich shared his screen to display the version of the plan that invited people to sign up for implementation subgroups. He described activity in several areas, as follows:

Advocacy Model: At several meetings of KEJC’s “Lobby Team,” staff had discussed a series of questions posed by the Kentucky Civic Engagement Table about how its coalition partners engaged and empowered communities. Rich used the term “community-based lawyering” to describe a model in which legal and policy advocacy was informed and guided by community members and in turn supported them.

Language Access: Rich said that Outreach Coordinator Miranda Brown had worked with Legal Assistant Gaby Dawson and Outreach Worker Lizz Perkins to review KEJC’s current policy on serving people and communities with Limited English Proficiency (LEP). Rich said that Maxwell Street had a good written policy and practices, but the idea was to extend training, understanding, and a “toolkit” program wide. He said Miranda would report to staff at the full staff meeting the following week.

Racial Justice DEI: Rich said that the volunteer subgroup on RJDEI had met several times. He said the group had coalesced around the idea of surveying current and former staff and board members to gauge KEJC’s strengths and weaknesses in supporting and welcoming diverse board and staff members. He said findings of the survey would inform drafting of a Request for Proposals from consultants to guide further learning, discussion, planning, and decisions.

Fundraising Committee: While the new board committee had not yet been established, Rich said, Resource Organizer Raaziq El-Amin had been working on a fundraising plan and would welcome a dialog with the new group. He said Raaziq had been thinking a lot about donor engagement and about how to let people know their contributions make a difference.

Back Office: Rich invited members to review the draft job posting for a part-time administrative support professional to take on tasks identified in the inventory of administrative functions he had shared with the Executive Committee. He said he had reached out to peer groups for job descriptions. He said the draft posting invited both applicants for employment and proposals from firms and professionals who qualified as independent contractors.

Rich said he could post the new job the week after the board meeting. Rob Johns offered to review the draft posting and make suggestions.

Update: Following interviews, KEJC accepted a proposal and entered into an agreement with The Charity CFO for accounting and bookkeeping services.

Strategy Test: Rich said that reproductive health had emerged as the first potential application of the Strategy Test for new initiatives, with Shannon, Lisa, and Rick stepping forward to participate. He said the group would hold its first meeting the following week, with a goal of

bringing findings and recommendations to the board by its September meeting. He said that progress on the above elements would help clear “bandwidth” to move on to remaining items, including an update to personnel policies.

Governance: Meeting Dates 2022

Rich recapped the remaining meeting dates for the year, September 23 and December 15.

Big Picture: Legal Services Funding

Joshua Crabtree reported that, in Congress, the House had approved the same high number as the previous year for Legal Services Corporation funding. He said he was cautiously optimistic that Congress would approve at least some increase. As for the process, he said, all would probably remain in flux until adoption of an omnibus budget resolution in December.

John Rosenberg suggested getting a report at the next meeting from Glenda Harrison and Nan Hanley of the Kentucky Supreme Court’s Access to Justice Commission. He said that with guidance from Justice Keller, the group recently had launched a courthouse navigation project in Fayette County.

Under the project, volunteer lawyers were scheduled to come to the Fayette County courthouse every Thursday from for several hours to offer information, advice, and coaching on use of self-help forms on topics like divorce, expungement of criminal records, and small claims. Maxwell Street Director Angela Evans added details on the project, including the hours: 11:00 to 2:00 on Thursdays.

John said that American Bar Association “ABA Days” in DC were coming up, offering a chance for programs and supporters to make the case for funding for legal aid.

Staff Reports

The board heard staff reports on multiple issues and projects. No board action was required in response to the reports. For details, see the Staff Reports on the KEJC Board web page under the July 14, 2022, heading at <https://www.kyequaljustice.org/board-meetings>.

Adjournment

Motion: Robert Johns moved to adjourn the meeting.
Second: John Rosenberg
Action: Approved unanimously

Reported by:

Richard J. Seckel, Director
September 18, 2022