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John Edwards Threatens Action Against Legal Aid

By Pat Bryant

A controversy over the role of staff in policy decisions of the North Central Legal Assistance Program (NCLAP) may surface publicly as a lawsuit may be filed or request made for an investigation by the General Accounting Office (GAO), a board member said this week.

John Edwards, the board member, said if staff are not curtailed from involvement in interviews and board deliberations to hire a director, he may take action. A lawsuit, a GAO audit of the agency or resignation from the Board, Edwards said, are his primary options. Edwards also charges he has been excluded from committee meetings.

Edwards is one of four board members on a search committee to recommend candidates for the vacant directorship. According to Edwards, the committee agreed that staff would have input by submitting to the search committee in writing a critique of resumes submitted by applicants. The NCLAP's Henderson staff complied, said Edwards, but the Durham staff insisted on taking part in board deliberations.

"I was totally surprised and disappointed to have four members of the staff from the Durham office present at our April 23rd meeting who were involved in the meeting by discussing and debating with members of the board," Edwards wrote Attorney Ann Loflin, NCLAP's president, and chairman of the search committee.

The NCLAP has been without a director since last June. Attorney Loflin said that prior attempts to fill the vacancy have not been successful. She

doesn't know if the board or search committee ever agreed on a process of determining staff input into selecting a director. With her permission, four staff attorneys sat in a recent search committee meeting. Edwards says at that meeting, staff members debated board members over qualifications of some applicants — to which Edwards objected. Edwards said he was verbally attacked by some staff.

A field of more than thirty applicants has been narrowed to seven. But Edwards complains that a meeting in which a decision was made to refer the seven finalists to the full board was not properly held.

Edwards contends that he had informed Attorney Loflin that they might not be able to have work assignments completed by the May 2 meeting. When

the meeting was set, Edwards complained that staff members ramrodded the May 2 meeting on the board members. Before that meeting, Edwards says, he communicated his inability to meet with Attorney Loflin. She says Edwards' letter, received on May 2, the day of the meeting, called the meeting off. Edwards and Carter are black. Others on the committee are white.

Attorney Loflin responded saying Edwards had no authority to cancel a meeting and that only she, as chairman, could do so.

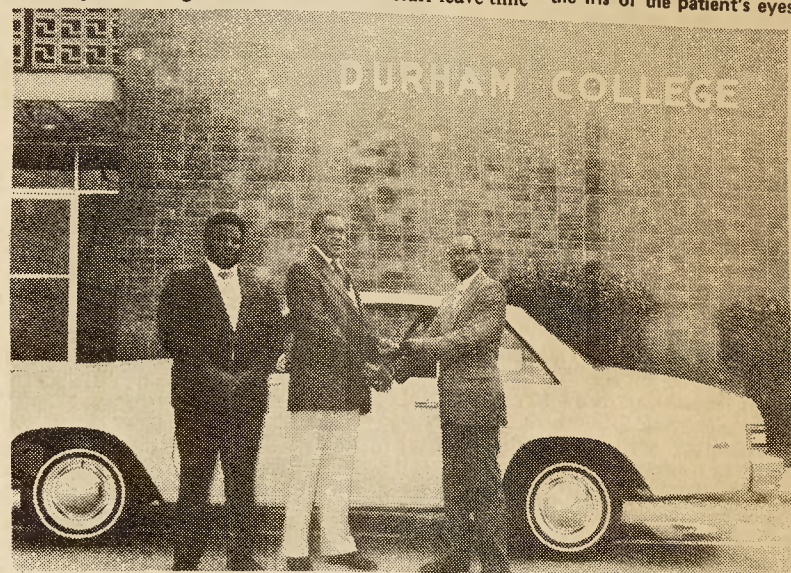
The dispute, so far, is limited to what involvement the staff attorneys should have in the selection process and not on the choices so far made by the committee.

Other matters that Edwards says are at issue are too liberal staff leave time

and a sabbatical leave. Legal aid staffers are allowed approximately thirty days leave time annually and a four month sabbatical after the employee has been on the job four years.

Attorney Loflin says those regulations were included in a personnel policy manual developed about two years ago which has not been adopted by the board. A regional legal aid monitoring team recently advised the board to revise the policy, she said. She agrees with Edwards that some provisions may be out of line with practices in the Durham area, but may be in line with other legal aid programs across the nation.

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