

DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 6 OF 16

FOLDER 2

CORRESPONDENCE 1967 73 2
OF 3

Return mail



NATIONAL LAWYERS GUILD

ONE HUDSON STREET — 9th floor
NEW YORK, NEW YORK 10013
212-227-1078-79

RECEIVED SEP 18 1970

mailed 9/2/70

President
Doris Walker
1440 Broadway
Oakland, Calif. 94612

Sept. 7, 1970

Secretary
Harry Lore
1420 Walnut St.
Phila., Pa. 19102

Treasurer
Ralph Shapiro

Executive Secretary
Eric A. Seitz

Administrator
Alicia Kaplow

Membership Secretary
Alice Robinson

Dear Guild Member:

One of the most valuable and useful publications is the Guild referral directory. In the past, the directory has been compiled by the Meikeljohn Library and has included the names of lawyers -- Guild members and non-members -- who pay a certain fee for the privilege of being listed. The last referral directory was published in 1968 and is by now extremely outdated and incomplete.

The national office, with the help of the chapters and regional offices, is now in the process of preparing an up to date Guild referral list. To be included you need only return the enclosed card with your signature and correct office address. If you have a particular kind of practice or speciality please indicate that so we can include it in the list. The final list will be mimeographed and distributed to members of the National Lawyers Guild. It will not otherwise be made available without the authorization of the National Executive Board.

There will be no cost to members for inclusion in the Guild list. However, the mailing and reproduction costs will be enormous, and we would appreciate any contributions to assist us in this effort.

Please complete and return the card at the earliest opportunity.

Sincerely yours,

Alice Eric Alicia
Alice, Eric & Alicia

enc:

REFERRAL DIRECTORY ORDER FORM

The National Guild Referral Directory, which includes over 1,000 listings from over 30 states, was scheduled to be available for purchase at this convention. Due to delays in printing, the directory will not be available until sometime in the coming month. However, distribution will be facilitated if you will order now by filling out the following form and attach to it a check or money order (no cash please) and return to the box marked Referral Directory at the registration tables. PLEASE PRINT!!!!

NAME _____

ADDRESS _____ PHONE _____

Attached is my check (or money order) for \$ _____
in purchase of _____ copies of the Guild Referral

Directory. Price is \$2.00 per copy, to cover printing
and mailing costs. Checks payable to NLG

The Directory will be sent to you immediately as it becomes available. (within the next month)

NOTE: If you did not send in a listing for inclusion in the 1973 edition during the past six months, but wish to appear in future supplements in the coming year, please attach the following information:

NAME, ADDRESS (please include city, state and zip)
PHONE (including area code), FIRM NAME,
AREAS OF PRACTICE OR EXPERTISE, LAWYER, LEGAL WORKER,
OR LAW STUDENT.

PLEASE RETURN THIS FORM WITH CHECK ATTACHED TO THE BOX
MARKED REFERRAL DIRECTORY AT THE REGISTRATION TABLES.
OR MAIL AS SOON AS POSSIBLE TO: Guild Referral Directory
23 Cornelia St.
New York, New York 10014



NATIONAL LAWYERS GUILD

ONE HUDSON STREET — 9th floor
NEW YORK, NEW YORK 10013
212-227-1078-79

17. September, 1970

President

Doris Walker
1440 Broadway
Oakland, Calif. 94612

Secretary

Harry Lore
1420 Walnut St.
Phila., Pa. 19102

Treasurer

Ralph Shapiro

Executive Secretary

Eric A. Seitz

Administrator

Alicia Kaplow

Membership Secretary

Alice Robinson

Dear NEB Member:

The next NEB meeting will be held October 2-4 at Vanderbilt Hall, NYU Law School, New York City. The meetings will begin with a women's caucus and a men's caucus on Friday evening, October 2nd at 8:00 P.M. The Saturday business meeting will begin at 9:30 A.M. and the time for the Sunday meeting will be announced at the conclusion of the session on Saturday. In addition, the New York City Chapter is planning an informal Saturday evening get-together for board members, chapter members and movement activists in the New York area. That will begin at 9:00 P.M. at the Hotel Diplomat, 108 West 43rd Street and members of the Young Lords and some of the Panther 21 defendants are expected to be there.

As per usual, an attendance and housing card is enclosed. Some private housing will be available, but otherwise we are requesting that you make your own arrangements. PLEASE RETURN THE CARD IMMEDIATELY.

Also enclosed are a number of articles dealing with some of the problems raised at the last board meeting. We sincerely hope that you will take the time to read them and consider them so that we may have a fruitful discussion of the issues at this meeting. Finally, we are sending you a copy of the minutes of the latest Program and Administration Committee meeting. We hope to make minutes of these meetings available to you regularly.

See you in New York in two weeks.

Sincerely,

Eric

Eric Seitz

ES:ds

For the past year or so, much debate concerning admission of non-lawyer legal workers has taken place within the Guild. Unfortunately, most of the discussion has been reduced to name calling, on both sides, leaving the underlying issues either unarticulated or unexplored. It has become increasingly apparent that attempts must be made to outline the arguments coherently, both pro and con. It is hoped that this effort will encourage others to do the same.

The issue, as defined by the last board meeting (June 13 & 14, Berkeley, California) is whether or not Guild membership ought to be open to legal secretaries, law clerks and legal workers. Exactly what is meant by the term "legal workers" has not been as yet, and needs to be, clearly defined. However, it would generally include the non-lawyers who work in Guild offices and perhaps those few others in this country whose work is primarily directed toward providing movement legal defense.

I do not want to gloss over the problem of defining just what it is we mean by the term "legal worker." From my limited discussion with others, it is my opinion that for the moment at least, legal workers are those persons who work on either a regular paid or unpaid on-going basis with a Guild chapter or regional office or those who are, together with those now entitled to Guild membership, members of what we broadly define as law communes. Since at least within the memory of this writer, we haven't been faced with the problem of a lawyer not in general political agreement with the policies and program of the Guild seeking membership, we would assume the same would hold true for the three new categories under discussion. Certainly, no one would want to belong to an organization constantly described as the "radical" or "left-wing" National Lawyers Guild unless she/he was in basic agreement with its position. To argue otherwise is for all intents and purposes to raise a "straw man" on the part of the propounders.

What really seems to be at the heart of the matter though is an argument that has been going on longer than the issue before us --- namely just what is the Guild? Society defines the Guild as a professional grouping. The great contradiction is that most of us, at the very least in our daily legal work, are engaged in challenging this society's rules and definitions. Courts may have defined a law one way yet we will go into court time and time again with a new approach, new outlook, new definition. When it comes to one of the organizations to which we belong, however, we succumb and meekly accept a definition imposed upon us by the general order of things.

In fact, the "guts" or the Guild rests in the undefined and un-dogmatic political assumptions of both its members and the public-at-large. While for ~~most of its~~ history Guild membership was restricted to lawyers (recently expanded to law students) the "draw" to the organization was and is political, not professional. (The ABA serves the latter function quite

well.) Those who are attracted to it are attracted on the basis of a very general political unity --- an understanding now that this organization is on the left and is moving beyond the liberal position of reform within the terms set by the establishment.

In 1968, at its convention, the organization went so far as to programmatically establish itself as the "legal arm of the movement for social change." And it is on this basis that hundreds of young lawyers and law students flocked to the Guild. For it is in the Guild that they can join with others who identify with, are a part of, and seek to further the overall objectives of this broad movement. Presently, one of the greater needs of the movement is defense. Defense however, is not something done in a vacuum, and many of those who work closely with movement groups do so not because they are lawyers qua lawyers --- but because as radical, political human beings they feel that in this present period one of the ways in which they can aid the furtherance of the movement is through their skills as legal technicians. But movement defense is multi-level. Someone coordinates the legal needs of the group, someone helps movement groups set up a legal apparatus within their organization, someone arranges for bail, someone makes sure that the defendants show up in court, someone may discuss with the group the political propaganda mileage that can be made out of the arrest(s), someone may take depositions, collect data on police brutality etc., and someone types whatever briefs, memorandum, motions are needed. That someone is not always the lawyer. A good portion of that work in fact, is done by legal workers, law students/ clerks and secretaries. They all work together in a multi-purpose political and functional unit. Why then should some of those who are an integral part of the programmatic functioning of the Guild be excluded from membership?

It has been argued that those who have either gone or are in the process of going through three years of additional schooling presumably have a stake --- a dedication and commitment to the practice of law. Even granting that hypothesis, is the contrary position equally true? Have we been so brainwashed that we really believe that the only criteria for commitment is time and money? Perhaps a legal worker will only engage in that type of work for a year or two or three, while the lawyer he/she is working with has practiced his trade for ten, twenty or thirty years. Does that fact alone mean that the lawyer is more dedicated to the particular defendant(s) and the notion of legal-political defense than the legal worker? Presumably, the dedication of all concerned --- defendants or potential defendants, lawyer and legal worker is to the goals of the movement --- defense being a necessary and often diversionary factor in a particular period. The entire concept of movement defense, I would think, is not to test the "bill of rights" but to allow those who have "things to do" to carry on with their "business."

What is really feared is that persons who may have no long term commitment will be in a position to make decisions which will affect others who will remain long after those persons are gone. This challenge is not met, however, by excluding people --- the challenge is met by

developing a close, mutual respect relationship whereby each understands the long range needs, fear and implications of action. So far the argument is only being answered in terms of legal workers. Legal secretaries for a whole range of reasons --- mainly the position of women in this society are not likely to be "fly by night" workers or candidates for admission. In addition and it may come as a big shock to some --- not everyone who works in a legal office is interested or sympathetic with the political work being done. In all likelihood there are all too few who share a unity of purpose with their now "so-called" employer. Furthermore, under the present ordering of things, a disbarred lawyer is not a lucrative employer.

But there is still an even greater fear expressed most adeptly by one male lawyer at the end of the board meeting "well, I guess that means the women will take over the Guild." Indeed, he recognized that the bulk of those seeking enfranchisement are women. But these are the very same women who are now an integral part of the practice of law. Some may already be, to a great extent, practicing certain types of law (doing research, drawing pleadings, wills, incorporation papers etc.) while others certainly have the potential of learning these and other skills. Clearly many of these women did not become the proud holders of a "bar card" because of the overriding social, economic, cultural and political system. At a time when some of the political demands of the movement include (a) more extensive defensive and affirmative legal defense and (b) an end to the overt and covert oppression of women, particularly on the part of men who consider themselves to be "in" or "in support of" the movement, it is time then for those of us in the Guild to examine our own attitudes, beliefs and behavior.

Greater and more effective defense of the movement calls for the training and turning over of much of the work that is entailed to, for lack of a better word, "para-professionals." That is, if we are really serious about our political obligations. But once we continue to expand our energies in this effort, we cannot then turn around and exclude those who work in political and functional unity with us from the ranks of our membership. The lawyer in this system may be placed in a hypocritical position --- that of being an "officer of the court" while at the same time he/she may be a proponent and possible participant in revolutionary change. He need not though, extend this contradiction into the Guild, but ought instead to begin to resolve these contradictions in his/her own work as a prerequisite for resolving them in the society we all say we are seeking to build.

Alicia Kaplow

SAN FRANCISCO: REPORT AND CRITICISM

Gene Cerruti

...There is a struggle going on within the Guild that flared again to dominate our recent National Executive Board meeting in San Francisco. The meeting turned into a heated one and the happenings should be shared generally among us. While there is no clearly articulated position on either side of this struggle, it is clear that the issues involved are fundamental. More importantly, it is now certain that it will be around the resolution of these very issues that the Guild will either grow or grow moribund. What follows is a brief report and criticism of what took place at the June NEB...

TAKING CARE OF BUSINESS

The conflict that emerged to dominate this NEB has been festering within the Guild for the past four years. In all its dimensions it reflects the unique character and composition of the Guild. While basically a breach along generational lines, it is far more than that--as became clear this time around. San Francisco did reveal that the Guild is now stronger than ever. But it dramatized equally well the growing pains of an organization going through such a major period of growth. The surface arguments have unfortunately not become noticeably refined, yet the emotional undercurrents have become intense and disruptive. Thus one of our main problems has been an inability to clarify this conflict along the lines of political issues that will submit to struggle and resolution. In San Francisco it very often appeared that we were fighting primarily ourselves, and only incidentally the issues.

This NEB had several items of business to take care of. It opened with chapter reports that indicated an enormous amount of work being done all across the country. New chapters have formed, old chapters have been revitalized, and all chapters are doing more. The meeting then took up the staff report of the National Office and things started to roll. Around the question of our national organizing and priorities, the issue was joined as to whether the Guild should open its membership beyond lawyers and law students. This really turned out to be a discussion of what the Guild is and what it should be, and very few stones were left unturned or unthrown. After a break, during which there was a women's caucus and a men's caucus, it was resolved to recommend to the next Convention that the Constitution be amended to open the Guild to "legal workers", with local implementation to begin immediately.

That was Saturday. Sunday opened on a calm if unsettled note with reports from the Lawyers Defense Committee and the National Defense Committee, which had held its first meeting that Friday. Several minor items were disposed of and then the discussion began to heat up again around the financial report and dues proposal. A new

dues schedule was adopted but not before the question of forms and priorities for organizing was again on the floor. This led to a protracted discussion which ultimately was posed as the question of whether the National Office or the San Francisco Regional Office should take primary responsibility for doing some immediate organizing in Seattle. This discussion did not work itself out to any great extent on the floor, and was eventually referred to a committee with a rather broad mandate to assign a program for national organizing.

THE POLITICAL SPLIT: Two Approaches to a Period of Repression

The arguments on both sides at the NEB were not at all memorable. There was a lot of baiting, speechning, strawmanning--but not enough separating out of the basic underlying perspectives that people had on the role of the lawyer and/or legal-political work. It is critical, however, that we begin to define these different political philosophies. The kind of visceral exchanges we have gotten into help none of us personally, and certainly are very destructive of our collective work within the Guild.

I think there are basically two political philosophies within the Guild that we have to distinguish. We might call one of them Constitutionalism, and the other Radicalism. Each of them grows out of a particular movement history and has been thoroughly imbued with the practice of that period. Yet people do not fall into political position purely along generational lines. There is instead a curious flow of sympathies that seems to mirror the general fluidity of this period of political mixtures. And perhaps what was most significant about this NEB was the emergence of a middle grouping of people who were more or less mute, unwilling to join the debates on either side. These people were generally younger, but had been with the Guild for several years.

CONSTITUTIONALISM IS A THEORY that grows out of a period of defense and isolation. The organized Left was in the desperate situation of having lost its popular base and being forced to seek protection against repression from the Liberal community. There was an almost nightmarish preoccupation with Unity, pulling together the least common denominator of support you could find. Ultimately this theory stood for the proposition that the revival of the people's movement of the 30's and 40's would take place primarily around a militant struggle to secure an extension of the libertarian promises of the Constitution. The idea of Constitutionalism is therefore characterized by two correlative goals: highly respectable legal protection and "building bridges to the Liberals" through appeals to their Constitutional instincts. A lot of politics and tactics flows from this basic perspective. The theory has by now developed into a rather complete set of beliefs, but it is always best seen as a conditioned and well-reasoned response to the post-war period of repression.

The strategy was to attempt to tie the hands of the repressive agents, while at the same time framing the defense in such a way as to draw in the Liberals. The framework that was to be utilized to tie together this "defensive front" was nothing other than the Constitution itself and its expansive array of civil liberties. What followed naturally enough was that lawyers were themselves to act as front pieces; they were to exploit their class position as professionals and definitely not to appear in the image of committed revolutionaries. The role of the lawyer was to be a highly skilled technician who did not venture beyond publicizing the limits and contradictions of the Constitutional system. Revolutionary struggle as such carried out by lawyers would have been viewed by the Left of that day as adventuristic and counter-productive. Thus Liberals were seen as near bedfellows, while it was the right wing that was treated as the real enemy. For this reason, struggles around legal reforms--petitions, lobbying, legislative proposals--were a principal task for an organization like the Guild. This theory derived from and met with the thorough approval of the organized Left of that period. What is important to see is how the lawyer was viewed primarily as the provider of a technical service who functioned ancillary to the movement and not as an integral part of it. Lawyer separatism was critical to the strategy of this theory. A lawyer's personal politics or style was much less important than his or her ability to provide legal expertise. Constitutionalism, then, was largely a radical libertarian ideology, designed to remain locked within the framework of civil liberties.

Finally, it is important to note the effect of the black struggle on the development of Constitutionalism as a working theory. It is easy enough to see how this was a natural and appropriate theory during the civil rights drive. And when the black movement, South and North, moved into a liberation struggle, many Constitutionlists remained politically active largely through their services to this movement. This has of course been an inestimable reinforcement to the basic theory, since black revolutionaries have continued to express a strong preference for lawyers and strategies of the Constitutionalist type.

RADICALISM IS BASICALLY AN ATTITUDE, as opposed to a fixed set of articulated beliefs, which is why it cannot be given a more descriptive name. Yet it too rises to a comprehensive theory of strategy and tactics--the main difference being that it is much more thoroughly felt than it is thought out. In this respect it is a distinct product of the New Left and therefore has to be analyzed with a heavy regard for its evolving forms, somewhat apart from its nascent political program.

The specific period that now gives birth to this theory is very different from the previous period of defense. In fact, it is not entirely correct to refer to this as a period of defense at all, since the young movement of today is still progressing rapidly through vigorous new forms of offensive political work. This is perhaps why the Radicals within the Guild tend to see providing legal defense as largely a technical matter, and prefer to concentrate instead on developing creative ways of building

new anti-establishment offensives in conjunction with activist groups.

Radicalism proceeds then from a whole different set of conditions and assumptions which can only be understood properly in terms of some of the major themes of the new radical movement. Like anti-Liberalism. It is important to note that from the earliest days of the New Left the major threat to the development of a viable radicalism was always seen as coming from the cooptive efforts of the Liberals, rather than from the reactionary forces of the Right. This was to be expected from a movement that was itself ripping away from the Liberal middle class during the period of the Second New Deal, and it is still true today. Also there continues to be a very strong preoccupation with the twin concepts of confrontation and self-liberation, both of them designed to discredit bourgeois Liberalism and to provoke the development of a radical consciousness among white youth. Radicalism therefore has a certain faith in the theory of "organic change", the notion that the inner revolution of self must develop and occur simultaneously with the political revolution. Acting to negate one's own class alienation through intense struggles around short-term goals--"confrontations"--fits this criterion for political action. All this has led to a very instinctual rejection of legal reformism and conventional forms of practice. In net effect, then, Radicalism proceeds initially out of a specific alienation from lawyerism in all its traditional forms.

This also leads to a different sense of what the Guild should be to its members. The Radicals see it as necessary for an organization like the Guild to be an organic part of the movement before it can be a truly progressive force. It must be a primary and not a secondary political organization. Lawyers cannot use their service roles to escape the need to transform themselves as political beings. They must be "confronted" directly on the issues of male chauvinism and professionalism, and it is correct that these should be principal struggles within the Guild. What is perhaps most notable here is the manner in which these struggles are pushed. For the attacks on male chauvinism and professionalism are still in the confrontation stages. In neither case does Radicalism yet have a fully developed or unified conception of the alternative that is suggested. This is no more--no less than the way the New Left has developed itself all along, yet it confounds the Constitutionlists to no end.

WHAT LIES AHEAD

We all feel the general lack of coherence to our work in this political period and no doubt would all benefit from a searching discussion of strategy. But with the San Francisco-type meeting there are a lot of timely questions that go unanswered. Under better conditions it seems to me likely that the Radicals would probably learn enormously from the unique experience of the Constitutionlists, and the latter would learn to share respect and excitement for what the Radicals are attempting to create--if we could get future discussions to proceed as a struggle over political approach. Only this way will we begin to live up to the real challenges for our work that are only lately upon us.

For instance, there are a number of important issues buried in the questions of legal worker participation and the forms and priorities of organizing, the two major items discussed at the NEB. The legal workers argument involved the issues of: the negation of the existing division of labor, perhaps by reverting to a craft concept where lawyers or legal workers would do the entire product; the labor theory of decision-making in all units of legal organization, e.g. firms; the proper form for the women's liberation struggle within the context of the Guild or legal-political work; the attack on professionalism as a form of chauvinism that is regressive in terms of politics, style and organization; the organizational question of lawyer separatism v. maximum integration with the movement.

The matter of our role in organizing legal defense for the movement also involved a number of issues where Constitutionalism and Radicalism would part ways. In fact this became most clear during an evening panel session in which several lawyers gave conflicting characterizations to their role in political trials. Some of the issues that are behind this question are: the relative balance of forces in this period that indicate our strengths and weaknesses; the tactics of political confrontation within the courtroom; the importance of overt lawyer-client solidarity; the function and forms of alliances with Liberal groups; the secondary front of organizing around legal reforms; the choice of emphasis between more cautious united fronts or more adventuristic offensives around legal issues; the forms of organization and participation that bring all the proper parties into this type of decision-making; and the critical question of which theory is best equipped to guide our work with the black liberation struggle.

The point is that in San Francisco we seemed not to allow for what I think is the real complexity of these issues. They all fold into one another and an ability to deal with all of them at once must involve a certain amount of experience and experiment. Yet most of us at the NEB appeared to have stock answers that we were overly satisfied with. The Radicals seemed to regard the others as concerned with nothing but the protection of their professional privileges, while the older people could not get beyond viewing the younger people as naively acting out some minor tantrum. Neither view did any real service to the discussions. Yet this is nevertheless where we have positioned ourselves at the moment. And it is from here that the long process of gearing-up must begin.

The best way I know to react to Gene's statements is to place it into a frame of reference formed by my reasons for Guild membership and activity.

I joined the Guild after World War II because it was the only bar association in which a political left winger who was a lawyer could live, where there was the least possible conflict between political beliefs and activities and bar association activities. Expressions of left-wing political beliefs did not prejudice membership or activity. In addition, of course, the Guild had a progressive program which made political beliefs and membership compatible.

I use these formulations deliberately because I did not regard the Guild as the appropriate organization for my political activity. I carried on my political work through other political, community, labor or similar organizations, but not through the Guild. This was desirable because the Guild was not then, any more than now, politically monolithic. For example, many bitter and bruising battles, which left permanent scars, were fought over resolutions on international affairs. These did the Guild no good in the long run and, incidentally, prove that confrontation is not a word of the sixties or seventies.

I don't think Gene's analysis of the genesis of this approach is entirely correct. It pre-dated McCarthy and the Cold War periods. It was perhaps a reflection of the United Front period of the thirties and the forties, to unite all forces against fascism, no matter how disparate, to accomplish one over-riding goal. It was a fight-back method to overcome a looming, repressive force which became institutionalized as a method of work for those of us who trace their political births to that period.

This ideology, applied to the Guild, during the Cold War and McCarthy period of repression is undoubtedly one of the elements which permitted it to survive. Survive, yes; but not to grow, let alone to flourish or expand its influence. But it is also this feature which, when the political heat had diminished, enabled the Guild to respond to the Black Liberation struggle of the sixties, the precursor to its later expansion. The Guild was able to mobilize its members and significantly, scores upon scores of non-members and lay support precisely because it, as an organization supporting the struggle of the Black people, did not have to debate and resolve the merits of the political lines and frequently conflicting institutional organizational goals of COFO, SNCC, NAACP, SCLC or whatever. Rather it organized itself around the substantive struggle and not around the virtues of a particular participating group. It thereby established its reputation as a militant legal organization, not as a political organization or a mass movement.

Nothing I have heard at the recent Board meetings or at the Convention has persuaded me that this policy should be substantially altered. The increasing repression emphasizes the need for a legal organiza-

tion composed of lawyers who are militant, skilled and who will defend the rights of all who participated in the movement for social change without the need to endorse one or the other of the very many conflicting, shifting and different movement organizations. This does not mean that the political, social and professional ideas should not be challenged and debated at Guild meetings. If the organization of the Guild, as such, fosters chauvinism it should be challenged and methods of eliminating it should be raised and militantly argued. But persuasive militance does not include ill-defined charges of "professional elitism" hurled in the midst of meetings. They do little to clarify issues or, most importantly, to bring understanding to a group which is unused to dealing with these problems. Many of the problems which are raised are new to large segments of the Guild membership and patience and tact are necessary to explain and gain their understanding in order that the Guild may continue to grow.

I have a feeling that a grave political error on the part of certain sectors of the left is being imported into the Guild and that many of the problems which surfaced at recent meetings, including the attacks referred to stem from that. Many on the left identify liberalism as the main enemy of radical solutions to social problems and direct their fire against liberals. They see co-optation as the greatest menace. An organization, such as the Guild, which houses political liberals cannot do its full job because of this erring ideology; and this ideology cannot be corrected without the most militant struggle within the organization. I believe that imperialism and racism, domestic and foreign, are the enemies of the people and that all forces, bar none, ready to struggle sincerely and honestly should be welcomed even though they don't go as far in their ideology or activity as I would.

Ralph Shapiro

November 16, 1970

TO: ALL CHAPTER PRESIDENTS AND MEMBERS OF THE NATIONAL EXECUTIVE BOARD

FROM: DORIS BRIN WALKER, PRESIDENT

PROGRESS REPORT RE NATIONAL DEFENSE COMMITTEE

Following the mandate of the recent National Executive Board to the President and to the Executive Secretary to give priority to this project, the New York resident section of the National Defense Committee has been completely reorganized and will probably be functioning by the time you receive this memorandum.

The Committee now consists of: Bill Bender, Gene Cerruti, Stanley Faulkner, Mary Kaufman, Arthur Kinoy, Jonathan Lubell, Victor Rabinowitz, David Scribner, Ralph Shapiro, Nancy Stearns, and the staff. I will, of course, work very closely with the Committee, conferring by telephone and letter and meeting with it as often as possible. The Committee takes the Convention resolution as its mandate. It will meet regularly on a bi-weekly schedule for at least the initial period.

We understand that Detroit and Los Angeles already have functioning Chapter Committees and that San Francisco has had a first meeting of its Committee. We ask that each local Committee keep minutes summarizing its discussions as well as its actions, if any, and that copies of the minutes be sent regularly to the Committee in care of the National Office and to me.



NATIONAL LAWYERS GUILD

ONE HUDSON STREET — 9th floor
NEW YORK, NEW YORK 10013
212-227-1078-79

December, 1970

President

Doris Walker
1440 Broadway
Oakland, Calif. 94612

Dear Friends:

Secretary

Harry Lore
1420 Walnut St.
Phila., Pa. 19102

Herewith you have another packet of materials which reflect some of the work of the Guild.

Treasurer

Ralph Shapiro

The amicus brief was first filed in the state habeas corpus proceedings which were brought in an effort to block Angela Davis' extradition. The judge grudgingly gave us only two hours to write and file an initial brief which we did in conjunction with the N.Y. Civil Liberties Union and the National Conference of Black Lawyers. The enclosed brief was filed in the appeal after the original petition was denied.

Executive Secretary

Eric A. Seitz

Administrator

Alicia Kaplow

Membership Secretary

Alice Robinson

The San Francisco and New York dues letters are the first efforts, of which we are aware, to conform to the new dues schedule. We are pleading with each chapter to follow their example and to forward one-half of the dues to us beginning in early January.

The National Defense Committee has been emphasizing the necessity for establishing local chapter defense committees to perform most of the functions set out in the resolution that was adopted by the last convention. San Francisco, Detroit, and Los Angeles have taken steps to implement that resolution, and the enclosed minutes of the San Francisco committee are an example which, again, we are urging other chapters to follow. Please notify us if we can be of any further help in this regard.

The Guild brochure contains the same language; only the picture has been changed to implicate the Guilty -- and to replace the other picture which was lost.

The list of Guild offices is already out-dated. Washington, D.C. now has an office located at 1724 20th Street N.W., telephone 202-667-4567. The Philadelphia chapter has hired an organizer, Dick Lavine, and is looking for office space.

The Guild project in Southeast Asia is moving ahead slowly but steadily. We have received promises of financial assistance from two foundations and encouraging responses from other sources. Also we are in close


communication with the Lawyers Military Defense Committee which already has three civilian attorneys in Saigon.

The dates and places for the next NEB and convention have been set. The NEB will be in Atlanta on February 12-14 and will include a meeting of the National Defense Committee about which you will receive further information. The convention is scheduled for July 29 - August 1 at Snow Mass, Colorado (near Aspen).

Finally, the new Guild referral list is ready to go to the printers. It, like the next issue of the Guild Practitioner, and like many other Guild projects, is being delayed only by insufficient funds to meet the necessary printing and mailing costs.

With our best wishes for a better new year,


Alicia


Eric


Polly



NATIONAL LAWYERS GUILD

ONE HUDSON STREET — 9th floor
NEW YORK, NEW YORK 10013
212-227-1078-79

November 1, 1970

Dear Guild Member:

President
Doris Walker
1440 Broadway
Oakland, Calif. 94612

Secretary
Harry Lore
1420 Walnut St.
Phila., Pa. 19102

Treasurer
Ralph Shapiro

Executive Secretary
Eric A. Seitz

Administrator
Alicia Kaplow

Membership Secretary
Alice Robinson

As we are sure you are aware, political surveillance activities are emerging as perhaps the greatest threat to civil liberties in our country today. Frank J. Donner, a Guild member, is engaged in a foundation funded project on political surveillance which is sponsored by the A.C.L.U. The aim of the project is both an opinion-forming series of publications as well as the development of facts for corrective litigation. The first phase of this project is a popular paperback on political surveillance planned for publication for the late Spring of 1971.

The success of this project depends on the development of detailed and accurate facts about surveillance practices and institutions throughout the United States. The enclosed questionnaire has been sent to all ACLU affiliates. But progressive lawyers are also an important source of facts and leads on political surveillance.

Would you please take the time to complete the questionnaire as soon as possible. Wherever it is feasible please include documentation -- clippings, correspondence, briefs, decisions, depositions, affidavits, etc. Please transmit all bills for duplication (xeroxing or otherwise) and you will be promptly reimbursed. If in doubt about the relevance of any material please include it.


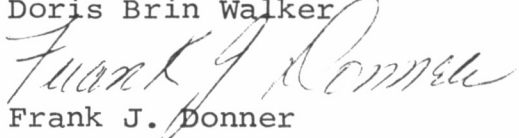
Please take note of the reference in the questionnaire to personal or follow-up investigation. We know that there are matters so important that they require personal follow-up investigative interviews by project representatives with lawyers, target individuals and organizations, reporters and police officials, etc. The project has made and is making such investigative probes in selected places (Chicago, Philadelphia, Los Angeles, parts of the South, New York City, for example) and in important cases (New Haven Panthers, Hobart College, the Chicago conspiracy). If you think on the spot investigation in your area would be fruitful, please let us know.

We are anxious to have your judgement about the extent, growth and significance of political surveillance in your area and its impact on free expression. Please respond to this question in as careful and detailed fashion as possible. We hope that these responses will be a source of useful quotations for publication.

Finally we also call your attention to the questionnaire item about other individuals or groups which may be possible sources of information. Response to this request is important. If you think that these suggested sources would complete the questionnaire, please let us know and we will send out additional copies of whatever individuals or groups you designate.

New surveillance data may emerge after the completion of the questionnaire. When that happens do not hesitate to call or write the project. The project is located at Yale Law School, Room 235. The project administrator is Kathe Fox. The phone number is 203-432-4307.

Thank you very much for your help.

Sincerely,

Doris Brin Walker

Frank J. Donner

SURVEILLANCE QUESTIONNAIRE

In addition to your written answers, please include in your response whatever documentary, printed and written material you have in your files: clippings, correspondence, pamphlets and leaflets, transcripts of TV and radio programs, legal complaints, briefs and court decisions.

I. Surveillance Practices

A. Covert Observation, Shadowing, Open Physical Surveillance, and Related Practices Directed Against Dissident Group Activity.

1. Do representatives of police agencies attend meetings, rallies, demonstrations, etc. of dissident groups in your area?
2. What agencies engage in these practices - urban red squads, intelligence, human relations, community relations, civil defense units, district attorney's office, sheriff's office, army intelligence, state police, state highway patrol, FBI, CIA, other?
3. Does more than one representative of these agencies cover the meeting?
4. How frequent is physical surveillance of dissident activity - routine, frequent, occasional or rare?
5. Are there activities that are singled out for constant surveillance - peace meetings and demonstrations, black protest meetings, etc.?
6. Are there any groups that are singled out for constant surveillance, Black Panther Party, SDS, etc.?
7. Are particular individual activists targets of constant surveillance?
8. Are police vehicles used for the physical surveillance and the trailing of activist targets.
9. Is the surveillance always covert or concealed? Does the surveillance agent engage in deception or impersonation? Does he acknowledge his role when challenged?
10. Is the name and rank of the surveillance agent known, either because he identifies himself when challenged or because of his frequent appearances?

11. What justification do surveillance agents give when their presence at a meeting is challenged - protecting the gathering from violence or harassment, gathering evidence for law enforcement purposes, looking for a fugitive from a criminal charge, other?

12. Do surveillance agents observably take notes, operate tape recorders, accumulate literature at dissident group meetings? Give details.

13. Do surveillance agents operate in teams for mutual protection? Is there an operational pattern which otherwise identifies the agent?

14. Do surveillance agents visit the homes of subjects, employers, banks, landlords, etc.? For what claimed purpose?

15. Do surveillance agencies exchange information about dissident organizations, individuals and activities?

16. The project has a few copies of reporting forms which are used by surveillance agencies. They require the assigned agent or agents to identify the name and location of the activity and the sponsoring organization, the speakers, leaders, participants, together with the source of the information. Have you seen such forms, do you have information about their existence, content and subsequent use? Would it be possible to obtain copies? If you are unable to do so, can you suggest how the project could do so?

17. In addition to reporting forms, surveillance agents are sometimes supplied with written or oral instructions concerning their conduct while engaged in surveillance - not to take an active part in the subject's activities, to leave when requested, how to explain their presence, etc. Do you have any information on this subject?

B. Photography.

1. Do governmental agencies photograph demonstrations, rallies, parades and meetings in your area?

2. Is this practice frequent, routine, occasional or rare?

3. Is there a particular point of time when the practice was initiated?

4. What agencies engage in this practice?
Local - uniformed policemen, plainclothesmen, tactical police, civil defense, human relations, intelligence units, etc.
State or County - highway patrol, state troopers, intelligence officers, district attorney's office, sheriff's office, etc.
Federal-Military - intelligence, Naval intelligence, Secret Service, other.
5. What are the mechanics of the photographic identification? Is the subject first identified to the photographer by another officer or does a single agent select the subject and photograph him?
6. Are cameras mounted in concealed or camouflaged locations - such as panel trucks, loudspeakers or street lights?
7. Is the photography selective, or is it used indiscriminately against all dissident groups and activities?
8. What justification for photographing is offered, if any?
9. Have administrative protests been lodged against the practice? With what results?
10. Have any judicial proceedings been brought to curb the practice? With what results?
11. The project has received information (but no proof) that surveillance agencies use photographic albums of activists to identify local subjects. Have you encountered any indication of this practice?
12. Where photography is practiced for identification, what use is made of the photographs?

C. Wiretapping and Bugging.

1. Is there any evidence that police agencies (local, state or federal) have engaged or are engaging in electronic surveillance? If so, please specify and transmit whatever documentation (correspondence, clippings, etc.) is available.
2. The project also wants information about unverified complaints of electronic surveillance. Please indicate the scope and nature of these complaints. Have they increased or declined in the recent period (since 1960)? What agency

or agencies are most frequently charged with or suspected of electronic surveillance - local (red squads), Federal (FBI) or other.

D. Informers or Infiltrators.

1. Have you encountered cases of infiltration of dissident groups by agents, i.e., members of local ("red squad"), State or Federal police units?

2. Have any cases of planted informers or infiltrators been brought to your attention? If so, please supply whatever material is available in your files.

3. Have unverified charges or complaints about informers or infiltrators come to your attention? Please indicate the nature and scope of these complaints. Have dissident groups charged or complained that violent or illegal activities with which they have been charged are the work of planted provocateurs? Have complaints about informers increased or declined in the period since 1960? What agencies are the most frequently charged with engaging in this practice?

4. Have you had any reports or proof of attempts to recruit informers? What agencies were implicated?

E. Dossiers, Intelligence Summaries and Political Files.

1. There are growing indications that police agencies at every level of government are building files and dossiers on dissident individuals and groups. In Pennsylvania, for example, the arrest procedure until recently included the compilation of an "intelligence summary." Is there any evidence in your area that surveillance and investigative practices have led to the next step: the accumulation of intelligence information. Please transmit whatever materials you have available which throw light on this practice.

2. Is there any indication that secretly gathered intelligence information is used to influence sentencing practices in cases involving political activists?

F. Special Problems.

1. The Campus. An important response on both Federal and State levels to campus disruption has been an increased resort to surveillance. What evidence do you have of surveillance practices (physical and electronic surveillance, informers, dossier compilation) on campuses in your area?

Is there evidence that these practices are increasing? What agencies are involved? Can you send us the names of individuals and organizations on campuses in your area which might supply the project with detailed information?

2. The Military. Military intelligence is active not only against GI dissidents but against civilian groups and organizations as well. Is there any evidence of such surveillance activity in your area? The GI coffee-houses have been targets of undercover intelligence activities - military and civilian - all over the country. Do you have any information about these practices? Can you send us the names of individuals and organizations in your area which might supply the project with detailed information.

3. The Drug Scene. Historically, narcotics enforcement has relied heavily on surveillance, informers, decoys, impersonation and related practices which are also used in the political area. This link has been strengthened in the recent period because of the tie between political and "life-style" (including pot smoking) dissent. Has narcotics enforcement been used in your area to punish political dissent?

4. Poverty Agencies. Many urban poverty agencies have become the targets of surveillance activities, particularly by urban intelligence units. Is there any evidence of such practices in your area?

5. Response of Target Organizations and Individuals. The project is accumulating information dealing with the response of suspects to surveillance. These range from the publication of names of suspected surveillance agents, expulsion and reprisals against suspected informers to defensive secrecy, limitations on use of phone, etc. Do you have any information on these activities?

II. Surveillance Institutions

A. Red Squads.

1. Urban police intelligence units ("red squads") have blossomed during the past decade under a variety of titles: special services, civil defense, human relations, intelligence. In a few instances political intelligence is a function of the narcotics bureau. Is there a red squad or its equivalent in your area?

2. If so, how many cities?
3. How many officers are assigned to it?
4. What is its budget?
5. Has its numerical complement and/or budget increased in recent years?
6. Are there active recruiting efforts in progress to enlarge the intelligence unit?
7. Historically urban intelligence units have confined themselves to passive or "soft" surveillance practices. For example, in the past, red squad agents characteristically did not conceal their identity or act as infiltrators or informers. Do local agents in your area now engage in "hard" intelligence - impersonation, concealment, etc.?
8. Do local intelligence operatives physically leave their area on surveillance assignments?

B. County and State Agencies.

1. Are there County and State intelligence agencies in your area?
2. Are they new or have they always existed?
3. Do you have any information about the number of agents engaged in surveillance, budget, etc.?
4. Is surveillance the function of the conventional police agency or is there (as is the case in many Southern states) an agency with exclusive jurisdiction over political intelligence?
5. What kind of surveillance practices are engaged in? Are these of the "hard" (impersonation, planting of informers, etc.) or soft variety, or both?
6. Is there a jurisdictional boundary between the local agency and the supra-urban intelligence unit? Is there an overlap?

C. Federal Agencies.

1. Until the early 1960's. political intelligence activities were largely concentrated in Federal agencies (FBI, IRS, Military, CIA, Secret Service). How many of these Federal agencies are active in the intelligence field in your area?
2. How is the jurisdiction shared with local agencies?
3. What activities do they engage in which you have not already described?
4. Do they concentrate on particular organizations and activities?

D. The Law Enforcement Assistance Administration.

1. The Law Enforcement Assistance Administration has processed applications of State and local police agencies for grants for the funding of surveillance activities. Have local agencies in your area done so?

E. Private (Non-Governmental) Surveillance Agencies.

1. Private groups, particularly on the right, also engage in surveillance practices. There are also indications that local police intelligence units work cooperatively with right-wing groups. Is there any evidence of such practices in your area?

III. Supplementary Data

We recognize that there are developments in the surveillance area which cannot be handled simply by a written answer to a questionnaire - no matter how complete. The project is prepared to make (and is making) follow-up, on-the-spot investigations wherever such visits would be useful. If you think that there are situations in your area which require further investigation (interviews, research, etc.) please let us know and if the situation warrants we will follow up.

In this connection, we want you to send us the names and addresses of individuals who could possibly be a further source of material on political surveillance.

Finally, please take the time to give us your judgment about the extent and growth of political surveillance in your area and its impact on free expression. In your view is there a link between the pervasiveness and intensity of political surveillance on the one hand and the political coloration of local or State government on the other. And have you had any evidence that the fruits of political surveillance are being used to influence power relationships or decision-making?



NATIONAL LAWYERS GUILD

ONE HUDSON STREET — 9th floor
NEW YORK, NEW YORK 10013
212-227-1078-79

President

Doris Walker
1440 Broadway
Oakland, Calif. 94612

Secretary

Harry Lore
1420 Walnut St.
Phila., Pa. 19102

Treasurer

Ralph Shapiro

Executive Secretary

Eric A. Seitz

Administrator

Alicia Kaplow

Membership Secretary

Alice Robinson

November 17, 1970

TO: ALL CHAPTER PRESIDENTS AND ALL MEMBERS OF THE
NATIONAL EXECUTIVE BOARD

FROM: THE NATIONAL OFFICE

RE: CONSTITUTION

AT LAST ---- HERE IT IS

The National Lawyers Guild announces:

the publication of

THE BUST BOOK FOR LAWYERS:

A HANDBOOK FOR THE NEW YORK CRIMINAL COURT

by Oliver A. Rosengart

This is the book lawyers and law students have been looking for. In a direct, how-to-do-it fashion the Bust Book for Lawyers takes you on a guided tour of the New York Criminal Court system. It is not a textbook. It is a book about what actually happens to a criminal defendant from the moment of arrest to the point of appeal.

The Bust Book is written from the experience of a lawyer who has handled cases in every part of the New York Criminal Court. The legal procedures and options that are available to the lawyer are presented in a very detailed and concrete manner. It is a clear picture of what you need to know for criminal practice. The chapter topics of this invaluable handbook are as follows:

. . . The Arrest; The Police Station; The Arraignment; The Parts of the Court and the Route a Case Follows; Dismissals; Preliminary Hearings and Discovery; Motion Practice; Youths; Representation of Drug Addicts; Plea Bargaining; Trial; Sentencing; Appeals. . .

Any profits will go to the support of the National Lawyers Guild. ORDER FORM

Name _____

Enclosed is check for:

Address _____

_____ \$3.00 (student)

_____ \$4.50 (lawyer)

(payable to National Lawyers Guild)

Mail to: National Lawyers Guild, 1 Hudson Street, N.Y., N.Y. 10013

NATIONAL LAWYERS GUILD
CONSTITUTION

As Amended by the Annual Convention, February, 1970 at Washington D.C.
Originally adopted, February 22, 1937, at Washington, D.C.

PREAMBLE

The National Lawyers Guild is an association dedicated to the need for basic change in the structure of our political and economic system. We seek to unite the lawyers and law students of America in an organization which shall function as an effective political and social force in the service of the people, to the end that human rights shall be regarded as more sacred than property interests. Our aim is to bring together all those who regard adjustments to new conditions as more important than the veneration of precedent; who recognize the importance of safeguarding and extending the rights of workers, women, farmers, and minority groups upon whom the welfare of the entire nation depends; who seek actively to eliminate racism; who work to maintain and protect our civil rights and liberties in the face of persistent attacks upon them; and who look upon the law as an instrument for the protection of the people, rather than for their repression.

ARTICLE I
Name and Objects

Section 1. The name of the organization shall be the National Lawyers Guild.

Section 2. The objects of the organization shall be:

- a. To aid in making the United States and the State Constitutions the law and the administrative and judicial agencies of government responsive to the will of the American people;
- b. To protect and foster our democratic institutions and the civil rights and liberties of all the people;
- c. To promote justice in the administration of the law;
- d. To aid in the establishment of governmental and professional agencies to supply adequate legal service to all who are in need and cannot obtain it;
- e. To aid in the adoption of laws for the economic and social welfare of the people;
- f. To keep the people informed upon legal matters affecting the public interest;
- g. To advance the economic well-being of the members of the legal profession, and to improve the relations between the legal profession and the community at large;
- h. To encourage, in the study of law, a consideration of the social and economic aspects of the law;
- i. To improve the ethical standards which must guide the lawyer in the performance of his professional and social duties; and
- j. To promote world unity through collaboration among the Bars of the members of the United Nations.

ARTICLE II
Membership

Section 1. Any person who is a member of the Bar anywhere in the United States or its territories or possessions shall upon application be admitted to membership without regard to sex, color, race, or religious or political belief or affiliation. Members of the faculty of a law school who are not

members of the Bar anywhere in the United States or its territories or possessions may be admitted as faculty members. Law students may be admitted as student members. This shall include law students who have graduated and whose applications to the Bar are pending. Members of the Bar in Canada may be admitted as fraternal members.

Section 2. Wherever a chapter exists, membership shall be through such chapter. Where there is no organized chapter, membership may be through direct affiliation with the National Organization, in accordance with the By-Laws and the rules and regulations established by the National Executive Board.

Section 3. Membership dues shall be as provided in the By-Laws.

ARTICLE III Organization

Section 1. The normal unit of organization shall be the county or group of counties, city or group of cities, except where the National Executive Board shall determine upon a different unit.

Section 2. Eight (8) or more members of the National Lawyers Guild, practicing or residing in any given unit may apply to the National Executive Board for a charter of affiliation as a Chapter, and such charter may be granted in the discretion of the Board if the applicants have adopted a local constitution and by-laws in conformity with this Constitution. The Preamble and Objects contained in this Constitution shall be part of every local constitution and printed therein as such.

Section 3. The National Executive Board shall not grant a charter to a chapter in a unit in which a local chapter shall already exist without the consent of such existing chapter.

Section 4. Local chapters shall have complete autonomy, subject only to the provisions of the National Constitution and By-Laws, to the referendum decisions of the national membership, and to the decisions of the National Convention. Notwithstanding any other provisions of this Constitution, each local chapter shall have such complete autonomy concerning all matters as shall in its discretion be necessary to the maintenance of its good standing with its respective integrated State Bar association.

Section 5. Local chapters shall have complete autonomy with respect to the disciplining of their own members for violation of this Constitution or of the local constitution or by-laws, subject to appeal to the National Executive Board in accordance with the by-laws and rules and regulations of the National Organization.

Section 6. No local chapter or any committee of any local chapter or any groups of members at large shall publish or publicize any report or statement as, or purporting to be, a report or statement of the National Organization of the National Lawyers Guild without the authorization or approval of the National Executive Board or of any subcommittee appointed by it for that purpose.

ARTICLE IV National Convention

Section 1. The highest governing authority of this organization shall be the National Convention, subject, however, to the action by referendum in cases prescribed by this Constitution. The National Convention shall be held annually at the time and place designated by the National Executive Board, unless such time and place shall have been determined by a previous National Convention. In no event shall two national conventions be separated by a period of more than 18 months.

Section 2. Delegates to the National Convention shall be chosen from three classes of members: chapter members, student members, and members-at-large.

- a. Chapter members shall be lawyer members of the National Lawyers Guild whose office addresses are in a geographical area encompassed by or contained in a charter granted by the national organization.
- b. Student members shall be those members of the National Lawyers Guild who attend a law school. This shall include law students who have graduated from law school whose applications to the bar are pending.
- c. Members-at-large shall be members who are not members of any chapter.
- d. Delegates to the National Convention shall be chosen by the local chapters, each chapter being entitled to one (1) delegate for every ten (10) members in good standing or major fraction thereof, but each chapter shall be entitled to at least one (1) delegate. In any unit in which no chapter shall exist, the members-at-large therein shall be entitled to elect one delegate for the first ten (10) members in good standing or major fraction thereof and an additional delegate for every addition ten (10) members in good standing or major fraction thereof. The National Executive Board shall prescribe rules and regulations as to voting by members-at-large. All members of the National Lawyers Guild attending a National Convention shall have all the rights and privileges of delegates except the right to vote. Student delegates shall be chosen by the student members of the National Lawyers Guild attending each law school. Each law school shall be entitled to elect one (1) delegate for every ten (10) members in good standing or major fraction thereof. But each law school shall be entitled to at least one delegate.

Section 3. The delegates from any local chapter or unorganized state or portion thereof shall be entitled to cast at the National Convention as many votes as the number of delegates to which the chapter, state or portion thereof is entitled under the foregoing provisions, irrespective of the actual number of delegates elected or who shall attend the Convention. Local chapters shall have the right to be represented by proxy, but the proxies must be persons who are accredited delegates to the Convention or members-at-large. The provisions permitting the giving of proxies shall apply only so long as there is no national fund for the defraying of the expenses of delegates to the National Convention.

Section 4. The National Executive Board shall in advance of any National Convention of the National Lawyers Guild elect from the membership of the National Lawyers Guild for the purpose of such convention: a committee on Nominations, a Committee on Resolutions, a Committee on the Revision of the Constitution of the National Lawyers Guild and other committees as the National Executive Board may deem necessary or advisable, and said Board shall prescribe rules for the functioning of such Committees. Such committees may hold hearings before and shall hold hearings during such convention to receive and consider suggestions and recommendations.

ARTICLE V Officers

Section 1. There shall be the following officers: A President, not more than fourteen (14) Vice-Presidents, a Secretary, and a Treasurer. Their duties shall be defined by the by-laws and by the resolutions of the National Convention. The duties of the Vice-Presidents may be further defined from time to time by the National Executive Board, which may designate one of them as Executive Vice-President.

Section 2. All officers shall be elected at the annual National Convention and shall serve until the adjournment of the next annual National Convention or until their successors are elected, whichever occurs later.

Section 3. There shall be a National Executive Board, which shall consist of the President, Secretary, and Treasurer, plus other members as follows:

- a. Members of chapters --- each chapter shall be entitled to one Board member for every twenty (20) chapter members in good standing as of the beginning of the National Convention. At least one Board member shall

be elected from each chapter. Each chapter shall be entitled to a number of alternates equal to the number of its board members.

b. Members-at-large shall be entitled to one Board member for each twenty (20) of their number in good standing as of the beginning of the National Convention. The National Executive Board shall prescribe rules and regulations as to the manner of electing members-at-large to the Board; provided that until the next convention the members-at-large in the Southern states be entitled to elect 5 members to the national executive board.

c. Faculty members shall be treated as members-at-large or chapter members depending upon their geographical location.

d. A student member who is a member of both a student chapter and another chapter shall only be counted once for the purposes of National Executive Board representation and of National Convention delegate representation.

Section 4. The National Executive Board may appoint one or more committees to administer, pursuant to directions of the Board, such matters as may be assigned to such committee or committees by the Board from time to time, and may authorize the President to appoint, subject to concurrence an Executive Secretary.

Section 5. All vacancies which may exist among the National officers or members of the Executive Board between National Conventions may be filled by the Executive Board.

ARTICLE VI

Section 1. All officers, delegates and members of committees, whether of any local or of the national organization, shall be elected by majority vote unless such local or national organization shall provide for a different method of voting.

ARTICLE VII Referenda

Section 1. All decisions of the National Convention shall be subject to approval or disapproval by a referendum of the membership, if such referendum is asked for by delegates casting at least twenty-five percent (25%) of the votes at the Convention.

Section 2. Referenda on all decisions of the National Convention and on any other decisions or subject may be initiated by the National Executive Board, or upon petition of chapters or the membership as follows:

- a. by five (5) chapters or two hundred and fifty (250) members
- b. by one (1) chapter or fifty (50) members if the petition shall be approved by one-third (1/3) of the members of the National Executive Board.

Section 3. The National Executive Board shall submit any matters required to be submitted to referendum within twenty (20) days after receipt of the petition therefor or after action taken by the National Convention and shall require a vote to be taken and returned thereon within twenty (20) days after submission thereof and shall ascertain and communicate to the local organizations the results thereof within ten (10) days after the expiration of the time within which the vote is to be taken and returned.

Section 4. No vote on a referendum on any question shall be valid and operative unless the total ballots voted and returned on such a referendum shall equal in number at least twenty-five (25%) of the number of the members of the National Lawyers Guild in good standing.

ARTICLE VIII Discipline

Section 1. The National Executive Board shall have the right to censure

any chapter for violations of the Constitution or conduct inconsistent with the aims and purposes of this organization by a vote of three-fourths (3/4) of its members. Such action shall not, however, be considered final unless approved by a majority of the membership on a referendum.

Section 2. The Convention shall have the right to revoke the charter of any chapter, but such action shall not be final unless approved by a two-thirds (2/3) vote of the membership on a referendum.

Section 3. No vote of censure shall be passed by the National Executive Board except after service of charges in writing and a reasonable opportunity to be heard previously given to the chapter involved; nor shall any charter of a chapter be revoked without previous written charges filed with the Secretary and a copy thereof furnished to the chapter involved at least one (1) month prior to the holding of the Convention. Upon any referendum in connection with the censure of a chapter or the revocation of such charter an opportunity shall be given such chapter to submit any written matter which it may desire to present to the membership in its defense, in accordance with rules and regulations to be established by the National Executive Board.

Section 4. The National Executive Board shall have the right to censure suspend or expel any member directly affiliated with the National Organization for a violation of the Constitution or conduct inconsistent with the aims and purposes of this organization by a vote of three-fourths (3/4) of the Board. No vote of censure, suspension or expulsion shall be passed by the Board except after service of charges in writing and a reasonable opportunity to be heard previously given to the member involved. An appeal may be taken from a vote of censure, suspension or expulsion to the general membership if the appeal is endorsed and initiated in the manner provided in Article VII, Section 2 of the Constitution or in lieu of such appeal a member censured, suspended or expelled may appeal to the next annual National Convention of the organization. Upon an appeal by referendum the member affected shall have the right to submit a written statement in his defense, copies of which shall be sent to the various chapters by the Board.

ARTICLE IX By-Laws

Section 1. By-laws not inconsistent with this Constitution may be adopted or amended by any National Convention or by referenda initiated as provided in this Constitution.

ARTICLE X

Section 1. This Constitution may be amended by a referendum vote in the manner provided in Article VII of this Constitution or by a majority vote of the National Convention.

ARTICLE XI

Section 1. This Constitution shall become effective upon its adoption by the vote of the National Convention to which it is submitted.

BY-LAWS

Section 1. Membership and dues:

a. There shall be five (5) classifications for membership: General, Student, Sustaining, Associate and Supporting, except that any local chapter may create a category of membership to be known as honorary membership to which only members of the Judiciary may be eligible and such membership may in the discretion of the chapter be non dues paying. An applicant may become a member in any of the four (4) classifications. A member may be transferred or retransferred from one classification to another upon giving written notification to the treasurer of the national organization if such member is not a member of a chapter, or if such member is a member of a chapter, to the treasurer of the chapter and such member shall thereafter pay dues accordingly

as provided in the By-Laws.

(b) General Members shall be those Chapter Members who pay dues according to any one of the following schedules:

1. A new member during the first two years of membership -- at least \$2.00 per month
2. Anticipated annual income up to \$5,000 for the year -- at least \$2.00 per month
3. Anticipated annual income up to \$10,000 for the year -- at least \$5.00 per month
4. Anticipated annual income up to \$20,000 for the year -- at least \$10.00 per month
5. Anticipated annual income in excess of \$20,000 for the year -- at least \$15.00 per month.

(c) Student members shall be those law student chapter members who pay dues at the minimum of \$.50 (fifty cents) per month.

(d) Members-at-large shall qualify for the respective categories of membership by paying dues at one-half the foregoing levels.

(e) There shall be the following additional categories of Membership:

1. Sustaining member - dues over \$15.00 per month and up to and including \$25.00 per month
2. Associate member -- dues of over \$25.00 per month and up to and including \$40.00 per month
3. Supporting member -- dues in excess of \$40.00 per month.

(f) Dues shall be billed by, and payable to, the respective chapters on a monthly basis; provided, however, the Members-at-large shall be billed by and their dues shall be payable to the National Office on a semi-annual basis. New members should be encouraged to submit twelve months dues with their membership applications.

(g) Failure to pay dues as herein provided for twelve consecutive months shall result in loss of membership

(h) On the first day of each month, each chapter shall forward to the National Office an amount equal to one-half of the aggregate minimum monthly dues which are collected from its members.

(i) Every member of the National Lawyers Guild is very strongly urged to pay membership dues in proportion to his annual income and in accordance with the following proposed schedule

- | | | |
|------------------------|----|---------------------|
| On the first \$10,000 | -- | at least 1.5% |
| On the second \$10,000 | -- | at least 3.0% |
| On the third \$10,000 | -- | at least 4.0% |
| On the fourth \$10,000 | -- | at least 5.0%, etc. |

(j) Upon application by any chapter for reduction in the assessed amount of dues payable to the national organization by that chapter for any given period, the National Executive Board shall have the power to grant such reduction to a chapter as the NEB shall deem advisable and in the interests of the National Lawyers Guild. In addition, a chapter may set up a committee to give special consideration to individual problems of its members.

(k) The provisions of this Section I of the By-Laws shall take effect as of January 1, 1971.

Section II. Committees

(a) National Committees shall be established from time to time by the President subject to the approval of the National Executive Board or by action of the Board itself at a regular meeting.