

TO: COFO STAFF

FROM: HENRY ARONSON

I have decided to resign as COFO Staff Counsel. The considerations that led to and compelled this decision are outlined below. I hope that this paper is carefully read by persons interested in the welfare of COFO, as it attempts to discuss a number of significant problems relating to COFO's legal program. If the projects and their members are to operate at anywhere near maximum efficiency, they must receive adequate legal support. Such support will necessitate COFO's making some basic decisions effecting its legal representation. . . decisions based upon considerations which it has not adequately explored to date.

A brief summary of the factors leading to the creation and development of The Staff Counsel's office may be helpful in understanding the current state of COFO legal affairs.

Late in the spring or early in the summer of 1964, a COFO staff person, R. Hunter Morey, accurately recognized that there would be a great need for lawyers and legal help during the summer of 1964. His efforts to obtain legal assistance during the summer were monumental and his contribution was most significant. Morey coordinated, to the best of his ability, the legal work being done for COFO by The Lawyers Constitutional Defense Committee (The L.C.D.C.), The National Lawyers Guild (The Guild), The N.A.A.C.P. Legal and Educational Defense Fund, Inc. (The Inc. Fund), The President's Committee and by lawyers who independently came to Mississippi to assist COFO. Yet, much was left undone because this work was done by one untrained in the law. COFO's legal problems required far more attention than "coordination", which in practice meant locating and dispatching a lawyer to a jail or court when a person was incarcerated or tried. Problems were handled on a case by case basis. No effective consideration was given to the legal implications of patterns of incidents. Neither cases nor problems were competently evaluated on behalf of COFO prior to the assignment of a case.

With lawyers possessing varying degrees of skill and experience available to COFO - many having no civil rights experience, some devoting their entire practice to civil rights law and many others possessing a limited amount of civil rights experience - the importance of pre-assignment evaluation by an attorney is obvious. Only by such evaluation can the dual objectives of obtaining the most effective legal representation and maximizing COFO's legal resources be realized. Further, the necessity for COFO having a person trained in the law on its staff did not and does not end with assignment. Post assignment supervision by an attorney must be constant if COFO, its staff and the persons for whom it has assumed responsibility are to be adequately protected. The fact that a case had been assigned to an attorney did not in any way guarantee that the case was properly attended to. Additionally, no records were kept of the disposition of cases once they were assigned to Morey. No bail records were kept. Many problems which could be handled most effectively by a COFO legal counsel - leases; deeds; insurance problems, etc.; - were seldom handled because there was no lawyer on the COFO staff. Further, problems common to many cases which could best be handled on a coordinated basis where several lawyers were involved in the underlying cases (such as negotiation with a Judge with respect to several cases) were not met. A COFO staff attorney would have had the ability to handle such common problems on behalf of all attorneys involved.

These and similar considerations led Morey and others on the COFO staff to conclude that it was important for COFO to include an attorney as a member of its staff. Such a decision was reached late in August and was concurred in by the then members of a committee called The COFO Legal Advisory Committee. This Committee, formed by Bob Moses sometime during the summer, was comprised of a few lawyers that Moses felt he could trust. At this time the most active members



of the group included Arthur Kinoy, William Kunstler and Benjamin Smith. Other invitations may have been extended but the recipients had either consciously not accepted or if they had they remained inactive.

I was interviewed during the last week in August by Kunstler, Kinoy, Smith and Morey, the former three in their capacity as members of the COFO Legal Advisory Committee and hired by them for a one month "trial period". Kunstler, Smith, Morey and I then traveled to Jackson the first week in September where we attended a COFO staff meeting. At this time the concept of a COFO staff counsel and a COFO legal committee were introduced to the group along with a proposal to enlarge the then existing committee to include Eugene Cotton, Melvin Wulf, Eleanor Holmes, Howard Moore, Marian Wright, Louis Lusky and Morton Stavis. The Staff Counsel and COFO Legal Advisory Committee proposals were not formally acted on by the group - rather, there was a tacit acceptance.

The above mentioned meeting was significant in that the relationship between the Legal Committee and the Staff Counsel was discussed. I stated as a condition to accepting the position the necessity of the Staff Counsel being free from control of all legal groups and responsible to COFO and only COFO. I felt then - and my views have not changed - that COFO Legal decisions should not be subject to the dominance of The Guild, The Inc. Fund, The L.C.D.C., or any other legal body, including The Legal Advisory Committee. The role of the Legal Advisory Committee - explicitly stated by Kunstler - was to be advisory in nature. Decisions were to be offered to COFO by it for its acceptance or rejection, with ultimate decision making power residing in COFO. Lastly, Kunstler and Smith stated they would undertake, in conjunction with COFO, to finance the office of the Staff Counsel. A tentative contribution of \$1560 per month was promised by them to be combined with \$ 250.00 per month from COFO.

Against this background I assumed the position of COFO Staff Counsel. In the four months the office has been open, several gains have been made. At the end of the summer COFO had no records of the legal experiences of the summer; COFO did not know which cases had been disposed of, which cases were pending in the state courts, and which had been removed to federal court. COFO had no knowledge of the amount of bail outstanding and to whom it was owing. Presumably the various lawyers' groups and individual lawyers handling cases on behalf of COFO had records of the matters which they were handling but no such records were kept on behalf of COFO. With the assistance of cooperating attorneys we are just now completing a record of cases pending against COFO workers and local citizens being represented on behalf of COFO. A workable system of communications has been developed between the COFO legal office and the projects. Files have been opened for every project detailing each one's legal experience. A system of handling legal cases and problems has evolved which provides for the expeditious handling of them. Legal experts have been contacted and have made themselves available to the COFO staff counsel for consultation. In short, the legal office is now functioning in a relatively orderly fashion and is capable of meeting problems as they arise, including the evaluation of claims, the supervision of cooperating attorneys and the provision of the services outlined above which gave rise to need for a legal office.

Notwithstanding the gains which have been made in the legal representation of COFO during the past four months, several problems have developed. These problems, and the factors which gave rise to them, leave me with no choice but to resign because they have impaired my effectiveness to a point where I can no longer carry out my responsibilities. The more significant problems include:

1. Financing - The promise to provide \$1560 per month has not been honored by Kunstler and Smith. They have not contributed anything towards the maintenance of the office for approximately 8 weeks - prior to that, they provided approximately one half of their promised contribution.

The resulting lack of funds has necessitated the firing of our secretary, the return of our rented car and the non-payment of all bills for approximately two months. I have received no salary and have loaned all my savings - approximately \$2200 -



to the office for the payment of bills. This office now has accumulated debts of approximately \$7000 (including salary owed to me) with no apparent source of funds to pay these bills. These bills are still outstanding. Since these bills were incurred on the basis of financing promised by Kunstler and Smith, - COFO must insist that they fulfill their obligation.

As many of you know, financial difficulties can become oppressive, particularly when they divert your attention and time from your responsibilities. I attempted to raise funds independent of Kunstler et al. This required my absence from Jackson which in turn subjected me to a great deal of criticism because "I was not doing my job." While in Jackson, I spent a considerable portion of my time avoiding and stalling creditors, rather than attending to COFO legal problems. Approximately one month ago I was forced to borrow \$2000 from a friend to satisfy our most demanding creditors. Our work output has been delayed and in some cases simply not done because we could not afford a secretary. Additionally, the absence of secretarial help and the curtailment of transportation prevented our office from effectively utilizing volunteer attorneys. Their work simply could not be processed. Without outside help and with an increasing amount of my time being devoted to financial problems, legal matters were not attended to with the dispatch that they should and would have received had we been financed as promised. All of these problems were conveyed to Kunstler et al, yet no help was provided.

I have continued to function to date only because I felt it imperative that the office provide legal protection for COFO personnel in the field. The office has subsisted during the past two months due to the generosity of The Inc. Fund which provided a car, advanced funds for a WATS line and negotiated with our landlord for the deferment of rent for the past three months. This source was approached only as a last resort since I did not want to be financially dependent upon any legal group which I was responsible for supervising. Nevertheless bills continued to accumulate. I am curtailing all expenses as of this date because I cannot in good conscience incur debts without any foreseeable means of retiring them. In practical terms this means vacating my offices and terminating my telephone service.

The question of financial support of the office of staff counsel is closely connected with the principal that the office be independent of all groups. The reason for the failure of Kunstler et al to supply the promised support is that they were not pleased with my occupation of the Staff Counsel position. Kunstler and Smith stated in unequivocal terms at a Legal Advisory Committee meeting that I should be removed from office, a question which was not passed on only after another member of the Committee explained that I was not the Committee's employee, but rather COFO's. In theory this was true, but, inasmuch as I was hired by Kunstler, Kinoy and Smith and to be supported by Kunstler and Smith, who's employee was I?

At approximately the same time that Kunstler and Smith voiced their displeasure, their contributions ceased. Repeated promises of funds for the COFO legal office were made by Kunstler including specific promises to Jesse Morris in mid-December and to me at a Legal Advisory Committee meeting early in December - yet not one dollar was received. If Kunstler and Smith had neither the money on hand nor a certainty of obtaining it, their continuing promise of support was deceptive and/or irresponsible. If they were or are in possession of funds or sources of funds (as they led most of us to believe) their conduct was and is unconscienceable.

This experience should be dearly weighed in considering the question of political and financial independence of the COFO Staff Counsel.

## 2. COFO - COFO STAFF COUNSEL RELATIONS

The largest single factor contributing to my decision to resign is the unsatisfactory relationship between my office and a



few persons on COFO's staff. These persons have managed to create a feeling of distrust and disfavor amongst a large enough group within COFO to impair my effectiveness as Staff Counsel. This negative attitude followed from these persons' critical statements about my activities, including the allegations that I: received an enormous salary; incurred extraordinary expenses; discriminated against and frustrated the efforts of The Guild; had not been in my office regularly; had not been out of my office and in the field enough; had engaged in fund raising activities; had not engaged in fund raising activities; had not cooperated with Kunstler et al; am not to be trusted. A minority of the COFO staff, by engaging in destructive criticism without troubling themselves to ascertain the truth or falsity of the "facts" supporting their critical outbursts, can, in effect, make decisions for the staff as a whole or demand of the person attacked an extraordinary expenditure of time and energy in defending himself and clarifying his position to this continuing minority, and because of them, to the staff as a whole. Although COFO demands this form of response at present, it must always recognize the concomitant costs. The present process of decision making may permit flexibility and freedom of actions but one should not lose sight of the freedoms entailed in regular procedures and stable relationships. For an effective legal counsel, the demands of the COFO structure constitutes an inordinate drain on his efforts to defend his clients, COFO personnel in the field.

It is difficult if not impossible to properly serve a client who does not trust and confide in his attorney. I feel that a majority of "my clients" - the projects and their workers - trust me and feel that they have been competently represented through the efforts of the office of the staff counsel. Yet a minority, (if the above assumption is correct) have made my existence too unpleasant to continue.

I strongly urge that the decision to retain my successor be fully discussed by as many persons within COFO as possible and that no replacement be chosen until one can be found that will receive cooperation and support from COFO as a body. This is not to say that the COFO counsel should be insulated from criticism, but rather he should not have to constantly contend with any and all groups within COFO desiring to fire him whether or not the group's feeling is shared by COFO as a body.

#### THE GUILD "PROBLEM"

I have frequently been accused of being "anti-Guild" in the institutional sense; i.e., that I have opposed Guild participation in the COFO legal program because they are a political liability. This "anti-Guild" reputation has caused some persons within COFO to distrust me and to actively seek my dismissal as COFO Staff Counsel.

COFO as a body has actively supported The Guild and has encouraged its members to participate in COFO's legal program. This support can be traced to two predominant factors:

- 1) The respect for and support of civil rights workers in Mississippi by a few Guild attorneys towards the beginning of the Mississippi Civil Rights Movement - a period when other lawyers' groups would provide little help.
- 2) The subsequent offers of legal assistance to COFO by other attorneys' groups, conditioned upon COFO's insistence that The Guild terminate their participation in the COFO legal program. Throughout this period The Guild was subjected to considerable "Red Baiting" by attorneys' groups and other institutions.

COFO, rightly, rejected these conditioned offers and supported the right of and encouraged Guild attorneys to participate in COFO's legal program. Many on COFO staff were insensed at the presumptuousness of others including the press, civil rights organizations and lawyers groups, in telling COFO who should or should not participate in COFO's legal program. Understandably,



and rightfully I believe, a group dedicated to the betterment of society did not distinguish between civil rights and civil liberties. I fully concur with COFO's decision to vigorously uphold the right of Guild attorneys to participate in COFO's legal program.

Yet, the issue of one's right to practice - the essence of COFO's "Guild decision" - must be distinguished from the issue of one's competence to practice law. This distinction is not recognized by many if not most within COFO. Thus any criticism directed towards the quality of Guild members' legal work or the quality of their program has been interpreted by COFO workers as being grounded upon political considerations and such criticism has therefore been rejected by them. Such supersensitivity on the part of COFO has resulted in The Guild and its members being virtually immune from criticism.

To the extent I have been less than enthusiastic about The Guild's legal program, my reaction was based solely on legal and not political considerations. A brief description and review of the Guild's legal program for the past few months supports this position.

The Guild reopened an office in Jackson early in the Fall after having closed their office at the end of the summer. This office is staffed by one full-time attorney, Mrs. Claudia Shropshire. In addition, a few volunteer attorneys who are members of The Guild, have traveled to Mississippi to work out of The Guild office for periods ranging from 4 days to two weeks. The Guild, a Bar association, numbers among its members attorneys engaged in every kind of law practice - from labor to corporate. Membership in The Guild would indicate the members' interest in and support of civil rights but such membership does not presuppose or signify any civil rights legal experience.

Thus the Guild's legal program is a volunteer lawyers program under the direct supervision of Mrs. Shropshire. The success of a volunteer lawyers' program such as The Guild's depends primarily upon two factors: experienced supervision and continuity. Volunteer attorneys inexperienced in civil rights law and having no knowledge of Mississippi conditions or law must be competently supervised. Work commenced in Mississippi by these volunteer attorneys must be followed through.

The Guild program is notably deficient in these two areas.

Mrs. Shropshire will not appear in Mississippi State Courts (as distinguished from federal courts) for the understandable reason that she is not admitted to practice before the Mississippi Bar. With no permanent person on The Guild staff practicing in Mississippi State courts, the scope and effectiveness of The Guild's Mississippi legal program is greatly restricted. The Guild office is incapable of handling any matter which should remain in state court (as distinguished from being removed to federal court). The temporary presence of a volunteer attorney - willing to appear in state court - when a matter arises does not significantly expand the capability of The Guild office. As there is no guarantee that such an attorney would be present throughout the duration of the matter, which may or may not require subsequent state court appearances. Competent legal representation cannot be left to such chances. Thus The Guild has not and cannot capably handle cases in state court except those which were or are to be removed to federal court subsequent to an initial trial in a J P Court.

An even more disturbing aspect of The Guild program is the absence of a permanent experienced civil rights attorney in their office. Mrs. Shropshire does not appear to possess a great deal of experience in civil rights matters. A volunteer lawyers' program must be supervised by one experienced in civil rights if the program is to be effective. COFO is confronted with sophisticated legal problems. Many of the rights which COFO attorneys ask the courts to vindicate are as yet unrecognized by courts. Such recognition will depend to a large measure on sophisticated legal work - from the initial gathering of facts through briefing and argument to appellate courts. The combination of volunteer



attorneys untrained in civil rights law and supervision by one relatively inexperienced in such law has rendered the present Guild program capable of handling only relatively routine matters.

The above conclusions are borne out by The Guild's performance this fall and winter. The Guild has relied on one standard approach to civil rights problems - removal to the federal courts. A few minor cases (primarily traffic offenses) have been handled in state Justice of the Peace Courts by Guild volunteer attorneys on the assumption that if lost they would be removed or the fine would be paid.

It should be noted that removal to federal court does not dispose of the matter removed. Removal is a procedural device for transferring a trial from a state court to a federal court. Many cases have been removed on behalf of COFO which may be remanded; i.e., sent back to the state court from which they were removed - if the federal courts place a narrow construction on the removal statute. The Federal Court's construction of the removal statute will be influenced by the quality of the removal petitions presented to them. The removal petitions and supporting briefs prepared by Guild attorneys - constituting the bulk of the work they have done - are inferior. These petitions and briefs are mimeographed forms, containing standard allegations which may or may not apply to the cases removed. Responsible legal work requires individual analysis and presentation of each case, not forms. Conditions which may have justified forms during the summer, when time did not permit individual removal petitions, do not exist at this time.

My suggestions for improvement have been disregarded. Further, and more important, I have not been free to criticize Guild legal ineffectiveness and inexperience because such legal criticism has been translated into political condemnation by many persons within COFO who fail to recognize the distinction.

I cannot urge in strong enough terms the importance of COFO clothing my successor with the power to, and supporting him in the exercise of, his undeniable duty to closely scrutinize, evaluate and supervise legal work done for COFO without respect to the group performing the work. I have not been clothed with such authority and thus my effectiveness has been greatly impaired.

#### The COFO Legal Advisory Committee

I seriously question the advisability for continuing this committee as it is presently constituted and as it presently functions. Several reasons for the existence of such a committee may exist - none of them are presently being fulfilled and I seriously doubt whether they could be fulfilled by the present group. Such reasons would include:

- A. Advice to COFO - The present Committee has not deliberated any legal questions as a committee, nor has it advised COFO on any matters since it was formally constituted in September. It has not served as a useful advisory body for several reasons: It is almost impossible to translate legal issues and questions from the field - Mississippi - to a group which reside in widely spread locations including New Orleans, New York and Chicago, and thereafter obtain the consensus of this group. Ideally, viewing the Committee in an advisory capacity, problems would be conveyed by the staff counsel to the committee members individually. Each of the members of the group would then draft their response to the problem and circulate it to every other member of the committee. Thereafter the members of the Committee would meet and attempt to arrive at a consensus through discussing the various points raised.

This ideal approach - assuming the existence of the Committee - is unrealistic. Most COFO legal problems require an immediate legal response. When in need of immediate legal advice, the COFO staff counsel would and should solicit advice from as many sources as possible, including, but not limited to, the members of a Committee. The staff counsel should be in constant



communications with the best legal minds in the nation and draw on them as needed. For such questions, requiring immediate advice, the existence or non-existence of a COFO legal committee is irrelevant.

With respect to far reaching legal questions which do not require immediate answer, a broad base of legal talent throughout the nation should be consulted. Again, a formal committee is not required. The members of the present committee would be available to COFO whether or not they were members of a committee. Their advice should be supplemented by advice from additional civil rights lawyers and experts so as to permit COFO to receive the best legal advice available. The point need be emphasized that advice from the present members of the committee should be solicited but that COFO should not restrict itself to only these persons. The existence of a committee has tended to limit rather than expand the sources of advice from which COFO can draw upon.

Therefore, viewing a COFO legal committee strictly from its utility as an advisory body I think it should be disbanded.

#### B. Supervision of COFO's Legal Program

It is my understanding that some members of the legal committee principally Kunstler and Smith, served in the dual capacity of supervising COFO's legal program and advising COFO on legal matters from the time of the committee's creation thru the end of the summer. This supervision was accomplished by long distance telephone calls between Morey, Smith and Kunstler. This manner of supervision is understandable given the existing conditions. The committee was formed during the middle of the summer at a time when Moses and other COFO persons questioned the validity and sincerity of much of the legal advice COFO was receiving. At that time COFO had no lawyer on its staff who could competently evaluate and translate the advice being given to COFO for and to the staff by the numerous lawyers participating in the Mississippi Summer Project. Moses at that time selected a certain few persons he could trust to advise COFO. Those who accepted and actively advised COFO at that time were Kunstler, Kinoy and Smith. During this period these three, out of necessity, acted more in the capacity of a staff counsel than as an advisory committee for the reason that COFO had no staff attorney.

The COFO legal program, as in the case of other COFO programs, must change to accommodate the needs they purport to fulfill. There is no question in my mind that COFO needs a staff counsel who is entrusted with the responsibility (and corresponding authority) to supervise COFO's legal program. This must be done by a person who has no duties or obligations to any person or organization other than COFO. It cannot be done by one or more attorneys, alone or in concert, who are not in Mississippi working with COFO on a full time basis. Therefore I do not think COFO legal affairs should be supervised by a legal advisory committee, either as presently constituted or in a different form.

Further, COFO would be particularly ill advised to entrust the present legal advisory committee with supervisory (as distinguished from advisory) authority over COFO's legal program and cooperating attorneys. The present committee is thought of by more lawyers familiar with it as the alter ego of Kunstler, Kinoy and Smith. Many lawyers and legal groups willing to participate in a COFO legal program simply will not subject themselves to supervision by Kunstler et al. If the present committee were given supervisory power one of two results would obtain, both of which are to be avoided:

1. Legal groups unwilling to be supervised by this committee would simply cease to offer their services to COFO; or
2. These groups, if allowed to continue to represent COFO, would do so without effective supervision by and on behalf of COFO.

With respect to Point One above, some cCOFO staff members labor under the misapprehension that this or that lawyers' group "needs COFO more than COFO needs them" and that COFO can



therefore compel all lawyers' groups to work for COFO on COFO's terms. COFO is not an indispensable client. There is more civil rights law to be practiced in Mississippi without regard to COFO than could be handled by 100 full time lawyers. Literally thousands of facilities, including school systems, restaurants, hotels, motels, libraries, courthouses, etc., need to be desegregated. An untold number of suits remain to be brought on behalf of persons whose constitutional rights have been abridged. Literally tens of persons need legal protection daily to protect them from the "crime of being a Negro". Thus, COFO cannot responsibly take the attitude that they are the only clients in Mississippi. If COFO proceeds on the "take it or leave it" theory they may find themselves with far fewer attorneys than they have today.

C. Finances

The Legal Advisory Committee could act as a fund raising organization to support COFO's legal activities. The present committee, or those members of the present committee who have undertaken this function, have failed miserably in this area. Further, if COFO should decide to retain a Legal Advisory Committee and a staff counsel, with the latter entrusted with the responsibility of supervising COFO's legal affairs, I strongly urge that the Committee not be looked to as a fund raising body. The reason, as is more fully stated elsewhere, is that the staff counsel should be completely independent of the Committee in terms of support. One need look no further than the present COFO legal problems to understand this.

On the other hand, should COFO decide to retain this or any other legal committee, and should this committee raise funds for, on behalf or in the name of COFO, this group should be held accountable to COFO for both its receipts and expenditures. Without any suggestion of impropriety, it should be noted that Kunstler et al have raised money using COFO's name without, to my knowledge, accounting to anyone within the organization for these funds. How much money is in The Unitarian Church Fund in New Orleans? How much has been spent on COFO's behalf? For what purposes? Have these funds been raised from sources that may have supported other COFO programs? If so, who assigned the priority? These questions should be answered.

D. A COFO Legal Committee As A Public Spokesman

It may be the consensus of COFO that they desire a legal committee for the purpose of making public pronouncements - to the President, the Attorney General, the Public at large, etc.,. If this be the purpose of a committee, its present membership in the main, is ill chosen to achieve this purpose. A committee designed for this purpose would ideally include Deans Rostow and Griswold of Yale and Harvard, etc.

E. A COFO Legal Committee Designed To Obtain The Services of Its Members

Committee status is not a prerequisite to obtaining the services of its members for COFO. I am certain that the lawyers presently serving on this committee would gladly contribute their services upon request whether or not they were members of a committee.

Those members serving on the present committee, if abolished, should be encouraged to continue their legal activities subject to the supervision of COFO through their staff counsel as in the case of all other attorneys working on behalf of COFO.

F. General Considerations Regarding A Legal Committee and its Members

In approaching the question of, and the problems surrounding, a COFO Legal Committee - threshold inquiry must be made into the committee's purpose. Does COFO want a legal committee? If so,



Why? What shall be its responsibilities? What shall be its authority? May it speak for or on behalf of COFO and if so, what shall its scope of authority be? What shall be its relationship with the Staff Counsel? These are difficult questions - they should be responsibly discussed by the largest possible group within COFO.

At present Kunstler and Smith purport to act on behalf of COFO completely independent of the staff counsel's office. They have refused to cooperate with the staff counsel. Work and statements of both Kunstler and Smith indicate that COFO could be better served and protected if they were more directly responsible to COFO.

No attorney or group of attorneys - be they The Inc. Fund, The Lawyers Guild, Ben Smith or Bill Kunstler - should be permitted to represent or speak for COFO without being responsible to COFO. Acts should be judged by one competent to evaluate them - namely an attorney - who, as indicated throughout this memo should be the COFO Staff Counsel.

### The Position of COFO Staff Counsel

The following minimum conditions should be fulfilled for the COFO Staff Counsel by COFO if their legal program is to function in a satisfactory manner:

1. This positions should be staffed by an attorney who has the unquestioned support, trust and confidence of the widest possible number of COFO staff persons.
2. The Staff Counsel should be entrusted by COFO with the responsibility and authority to supervise all legal work done for COFO, including the assignment of cases and post assignment supervision.
3. The office of Staff Counsel should be financed independently of lawyers groups responsible to him. This financing should be adequate to maintain secretarial help, transportation, telephone service and other incidental expenses, including of course salary and expenses for the staff counsel.

My stated salary as staff counsel was \$100 per week and \$50 per week expenses, a figure set by Kunstler and Smith. This compensation was found by some on the COFO staff to be objectionable. If COFO wants to have a competent, trained attorney on a permanent basis, it will be necessary to pay a salary approaching minimal professional levels. Only by hiring a staff counsel on such a basis can COFO hope to maintain and develop a legal program sufficient to competently fulfill their needs.

4. The Staff Counsel must be a person who can command the respect and trust of those whom he is responsible for supervising. Given the political problems surrounding COFO's legal program I would strongly urge that the staff counsel not be affiliated with either The Guild, or The Inc. Fund.
5. The Staff Counsel should be given the full support of COFO in terms of administrative and secretarial help when needed. My requests were never fulfilled; had they been, much lawyer's time would have been freed from administrative details which could have been handled by COFO staff.

A problem which need be dealt with in considering the office of the COFO staff counsel is that of rapport between a professional office and Movement personnel. This problem transcends the personality of the person holding the position of staff counsel and is inherent in the function of the groups involved. In the future, both the COFO staff and their staff counsel should recognize that these problems exist as they will demand understanding of both parties to overcome them.

I cannot suggest a manner for selecting my successor. Perhaps a Committee should be elected by COFO as a body to invite applications