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MEMORANDUM

THE WHITE HOUSE

WASHINGTON

April 12, 1976

MEMORANDUM FOR: Ron Nessen

FROM: Dick Parsons

SUBJECT: Planned Demonstration at White House  
By Wives of Executive Protection  
Service Officers

Wives and family members of Executive Protection Service officers are planning to demonstrate in front of the White House on Saturday, April 24, at 12:00 Noon. (See Tab A.) The demonstration is to give greater visibility to the demands of Executive Protection Service officers and, I believe, to put the President on the spot.

The basic problem is that the EPS officers want to organize for the purpose of collective bargaining and Treasury (Secret Service) has informed the officers that they may not. A more detailed memorandum concerning the dispute and other factors underlying the demonstration is attached at Tab B.

Dave Macdonald has the ball for Treasury. He has informed me that there is substantial media interest in this matter of the, "Doesn't the President care about the well-being of the people who protect him?" variety. Macdonald suggested that we might wish to have a White House spokesman meet with the leaders of the demonstration to show Presidential concern. I informed him that I thought this was a bad idea for a number of reasons but that I would pass his concerns along to you so that you could be prepared to deal with whatever questions may arise.

cc: Jim Cannon (w/attachments) ✓



A



COLLECTIVE BARGAINING . . .

... is your RIGHT.

We care enough to do something about it.

What can you do to ensure that your rights are protected in the future?

1. Notify your wife, children, relatives and friends of the RALLY to be held on SATURDAY, APRIL 24, 1976, at 11:00 PM in LAFAYETTE PARK, across Pennsylvania Avenue, N.W. from the White House. (The rally will replace the previously scheduled April 10 planning meeting which has been cancelled.)
2. Encourage your family and friends to join us in a peaceful and orderly ASSEMBLY to be held at 12:00 NOON on APRIL 24, 1976 immediately following the rally. Picket signs will be provided - please do not bring your own.
3. Have your family and friends participate in the LETTER WRITING CAMPAIGN to MRS. FORD. Have them explain to her in their own words just how they feel about the unjust practices and unfair treatment E.P.S. men have endured, and why we're having the assembly on April 24. Emphasis, of course, should be placed upon E.P.S. men's need for and right to COLLECTIVE BARGAINING. Either mail the letters to 1600 Pennsylvania Avenue, N.W., Washington, D.C., 20006; or have them hand delivered to Mrs. Ford's secretary (on the second floor, East wing of the White House no later than APRIL 20, 1976).

HELP US TO HELP YOU!

For more information contact:

POLICE ASSOCIATION OF D. C.  
1241 Pennsylvania Avenue, S.E.  
Washington, D.C.

(202) 544-0011





B






OFFICE OF THE SECRETARY OF THE TREASURY  
WASHINGTON, D.C. 20220

March 31, 1976

MEMO TO: David R. Macdonald  
Assistant Secretary (Enforcement, Operations,  
and Tariff Affairs)

FROM: William A. Hawthorne   
Special Assistant to the Secretary  
(Secret Service)

SUBJECT: Proposed Demonstration at White House by  
Wives of EPS Officers

Reference is made to the attached UPI wire story announcing the planned White House demonstration by wives of EPS officers, concerning their husbands job complaints. I now understand the demonstration is scheduled for April 24, 1976.

With regard to your proposal for a representative of the White House staff to invite the demonstrating wives into the White House for a discussion, I am furnishing the assessments of the Secret Service. The Service continues to feel the following points should be considered before any liaison is made between the White House staff and the EPS wives.


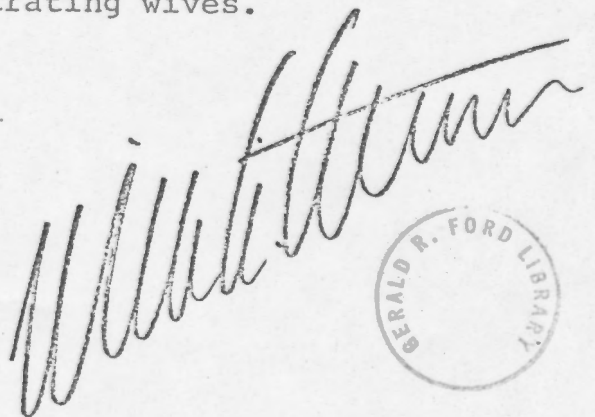
1. The D.C. Police Association seems to be the force behind the planned demonstration. They are seeking a constituency. EPS is one of their hopes.
2. The planned demonstration will include wives of the Metropolitan Police Department and U.S. Park Police officers, in addition to those of EPS.
3. Metropolitan Police officer's salaries are the apparent basis of the planned White House demonstration -- not EPS grievances. (Even though D.C. Police Association is not presently the union of the Metropolitan Police, the Association is fighting for the policemen's wages in hopes of becoming their union at the next union selection meeting. Metropolitan Police officers' wage scales are the basis for EPS and Park Police salaries.)



4. The Secret Service has management remedies in effect and others planned to attempt a solution of EPS officer complaints.
5. This intended demonstration by wives of officers from three different police agencies will very likely have a union spokesman who will be pursuing non-EPS issues. If permitted discussion with a White House staff member, this contact will tie the President (indirectly) to local union and government problems.
6. The Metropolitan Police officer's wage negotiations with the Mayor and City Council is a major news story. If it becomes the focal point of the "EPS wives" White House demonstration, the D.C. Police Association will have made a skillful use of the media. The media will in turn may be asking, "What does the President think?"
7. Recent meetings and demonstrations (at Capitol and District Bldg.) held by the D.C. Police Association have spent little, if any, time on specific EPS complaints. It seems unlikely that it will be much different at the intended White House demonstration.
8. It seems very possible that inviting the wives into the White House will bring worse publicity than just letting them demonstrate. Specifically, the media will have a union spokesman to pit against a White House staff member, or what the staff member allegedly said.
9. If this group of demonstrators is successful in using such a medium to get White House attention on an agency and union problem, their success may invite many similar demonstrations.

#### Recommendation

Let the demonstration be held without inviting the wives into the White House. When the media queries the White House Press Office, they can very routinely refer reporters to the managements of the respective law enforcement agencies that employ the husbands of the demonstrating wives.



WASHINGTON (UPI) -- PRESIDENT FORD SOON MAY FIND HIMSELF PICKETED BY THE WIVES OF THE WHITE HOUSE POLICEMEN WHO ARE ASSIGNED TO PROTECT HIM.

SOME 300 MEMBERS OF THE EXECUTIVE PROTECTIVE SERVICE VOTED LAST NIGHT TO DRAMATIZE THEIR GRIEVANCES BY HAVING THEIR WIVES PICKET THE WHITE HOUSE PEACEFULLY. THEY SET NO DATE FOR THE DEMONSTRATION.

AN AD HOC COMMITTEE REPRESENTING DISSIDENT MEMBERS HAS BEEN SEEKING TO NEGOTIATE WITH EPS OFFICIALS OVER MANY MONTHS A RESOLUTION OF SOME OF THEIR GRIEVANCES CONCERNING PROMOTIONS, PAY AND HOURS.

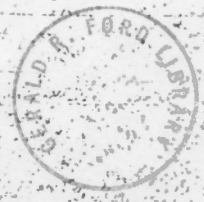
A SPOKESMAN SAID THERE WOULD BE NO DISRUPTION OF THE PRESIDENT'S SECURITY BY THOSE WHO MAN THE GATES AND MANY POSTS AT THE WHITE HOUSE DURING THE PROTEST.

THE SPOKESMAN SAID THAT THE POLICE ARE SEEKING A PAY INCREASE OF 15.2 PER CENT AND FEDERAL COMPATIBILITY WITH OTHER GOVERNMENT PAY SCALES.

HE SAID THAT BOTH WHITE HOUSE OFFICIALS AND TREASURY SECRETARY WILLIAM E. SIMON, WHO HAS OVERALL CHARGE OF THE PROTECTIVE SERVICE, ARE AWARE OF THE GRIEVANCES.

UPI 23-17 12:56 PES

*can pass  
return*





THE WHITE HOUSE  
WASHINGTON

April 15, 1976

cc: Lizzy  
Caro  
file

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR:

JIM CANNON

FROM:

JIM CONNOR *JEC*

SUBJECT:

Legislating an End to Unemployment

The attached newspaper clipping was returned in the President's outbox with the following notation:

"Excellent arguments against Humphrey/Hawkins.  
Might save for news briefing or veto message."

Please follow-up with appropriate action.

cc: Dick Cheney  
Jim Shuman



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WEDNESDAY, APRIL 14, 1976

WALL STREET JOURNAL

# Legislating an End to Unemployment

By HERBERT STEIN

A number of Democratic presidential candidates, or near-candidates, have endorsed the new version of the Humphrey Hawkins bill. That indicates that they are too busy running to think much about what they would do if they were President.

On its surface the bill is a measure for achieving all kinds of good things. Most specifically, it seems to be a measure not only for getting everyone employed but also for getting them employed producing the "right" things. But in fact it is a measure requiring the President to figure out how to achieve all these wonderful things at once, with not only the Congress but also the governors, mayors and assorted citizens lined up to take a crack at him as soon as he puts forward his program.

That is what makes the bill so attractive and gets it so many sponsors. The Humphrey-Hawkins bill is to unemployment what the WIN button was to inflation. It is a sign your heart is in the right place.

problems. The bill identifies goals—some specifically, some vaguely—but does not recognize any difficulty in achieving any of them, except lack of heart and will. What is needed is to assert the goals strongly. Once that has been done the President can fill in the details of the programs needed to reach the goals.

The bill has two main themes, as indicated by its title, "The Full Employment and Balanced Growth Act of 1976." The Balanced Growth part of the bill is a spin-off from the Humphrey-Javits economic planning bill, which was called the Balanced Economic Growth and Economic Planning Act of 1975. Presumably the Humphrey-Javits bill will now be allowed to wither away. It did not play well in Peoria. Its main promise was to statisticians and bureaucrats—jobs for the former and power for the latter. No crowd of citizens marched upon the Capitol demanding the Plan and the Humphrey-Javits bill as they did recently demanding jobs and the Hum-

will benefit not only the otherwise unemployed but will also benefit the rest of the nation, and not only in the spiritual sense of having done the right thing but in the more material sense of having more income, more production, more revenue, etc. Whether this argument is valid depends on how much the unemployed have to be paid to work and how much their product is worth to the rest of the nation.

This is not a fanciful consideration. The fact that people are unemployed at least raises the question whether their product would be worth their wage. The fact that there are lots of unmet needs in the country sheds no light on this question. Every individual, business, and government in the country has unmet needs that some of the unemployed might help to meet. Their failure to hire the unemployed suggests that potential employers think the cost of meeting those needs would be too great.

It will be said that the cost of hiring them is really less than it would seem to



April 22, 1976

*Justice*  
*Birth - discuss*  
*with me*  
*Jim*

Mr. James M. Cannon  
Executive Director  
Domestic Council  
The White House  
Washington, D. C. 20500

Dear Jim:

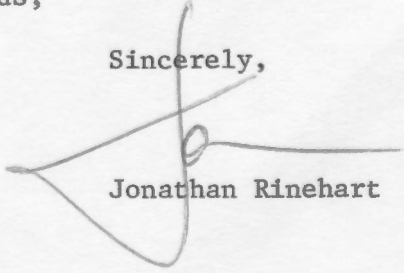
I am pleased to enclose two copies of the 1975 Annual Report for the National Center for State Courts. As you will note in looking at page 2, we have led the Report with a picture and a quote from the President, which is a small way of thanking you and your employer for the good words you have spoken on behalf of the courts.

As you know, the legislative battle on the LEAA renewal legislation is hotting up and supposedly will be put in place by May 15. I wish that we were confident that the cause of the courts was going to be properly treated, but that issue is still apparently in doubt. As always, the judges would be most grateful for any interest you or the administration feel able to take in seeing that the courts finally get their fair share of LEAA assistance. As always, my friends and I are ready to answer any questions or be of any help on this matter.

We have now slept in the Guilford house a few nights. I wish I could say it is a joy, but the colors in it make Pastel Sulfur Wells in Athens look monocromatic. Every damn wall takes three coats and my arm is falling off. I hope you, Cherie and Jimmy are well.

With best personal regards,

Sincerely,

  
Jonathan Rinehart

JR:jm  
Enclosures

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New York, N.Y. 10036  
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212-869-1180

1120 Connecticut Avenue N.W.  
Washington, D. C. 20036  
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**National  
Center  
for State  
Courts  
Annual  
Report  
1975**



Officers

President  
James A. Finch, Jr., Justice  
Supreme Court of Missouri

Vice President  
Howell T. Heflin, Chief Justice  
Supreme Court of Alabama

Secretary-Treasurer  
Alice L. O'Donnell, Federal Judicial Center  
Washington, D.C.

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Edward B. McConnell  
Director

Arne L. Schoeller  
Deputy Director

Board of Directors

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Judge  
District Court, Juvenile Division  
Minneapolis, Minnesota

Sylvia Bacon  
Associate Judge  
Superior Court of the District of Columbia

Louis H. Burke  
Associate Justice (retired)  
Supreme Court of California

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Justice  
Supreme Court of Missouri

M. Michael Gordon  
Judge  
Municipal Court of Houston, Texas

Howell T. Heflin  
Chief Justice  
Supreme Court of Alabama

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Supervising Judge  
Criminal Court of the City of New York

Edward E. Pringle  
Chief Justice  
Supreme Court of Colorado

John T. Reardon  
Chief Judge  
Eighth Judicial Circuit of Illinois

Paul C. Reardon  
Associate Justice  
Supreme Judicial Court of Massachusetts

William S. Richardson  
Chief Justice  
Supreme Court of Hawaii

Joseph R. Weisberger  
Presiding Justice  
Superior Court of Rhode Island

Officers and Directors listings  
are effective March 10, 1976.

Contents

3	Report from the Director
7	Technology in the Courts
11	Projects and Professional Activities
17	Financial Report
22	Council of State Court Representatives
23	Advisory Council
24	Business and Professional Friends Committee
Inside back cover	Offices of the National Center for State Courts



“The National Center for State Courts was formed to advance and modernize the workings of justice at the state level. It is now the principal resource to which the states turn in their efforts to improve their courts, to learn of advances in other jurisdictions and how to apply them to their own needs, and to make their voices heard in the national forums in which matters affecting the courts are decided.”

**Justice James A. Finch, Jr.**, President of the National Center for State Courts







President Gerald R. Ford

*"If we are to be at all effective in fighting crime, state and local court systems, including prosecution and defense, must be expanded and enhanced."*

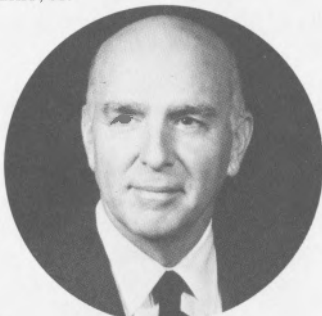
—President Gerald R. Ford, in a message to Congress, June 19, 1975.



Cong. Peter Rodino, Jr.

*"There can be no question but that the State and local courts, which handle some 95 percent of the Nation's rapidly expanding criminal case load, are now in urgent need of help."*

—Congressman Peter W. Rodino, Jr., Chairman, House Judiciary Committee, introducing the State Courts Improvement Act (H.R.8967), July 28, 1975.



George A. Stinson

*"The inefficiencies and delays that plague our court systems are very costly. Not just in terms of dollars—which are real enough—but also in terms of indispensable public confidence in the courts. That's why I have joined with other businessmen and lawyers to help rally support for court improvement."*

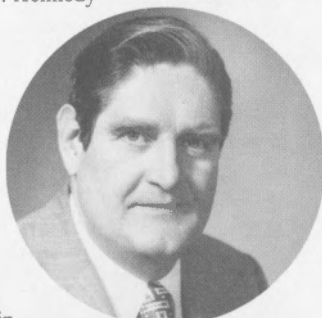
—George A. Stinson, Chairman, National Steel Corporation, at a luncheon of legal, business and foundation leaders, Pittsburgh, July 22, 1975.



Sen. Edward M. Kennedy

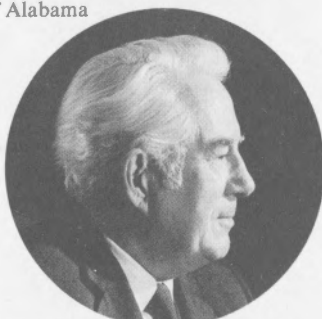
*"I have consistently stated in recent months that financial and technical aid to State and local criminal courts is an essential prerequisite for a successful attack on crime. This bill provides the courts with such aid."*

—Senator Edward M. Kennedy, introducing the Law Enforcement Improvement Act of 1976 (S.3043), February 25, 1976.

Howell T. Heflin  
Chief Justice of Alabama

*"The National Center, which is state controlled, state motivated and designed to meet state needs on an individual basis, can be the means through which to achieve for each state a modern, effective administration of justice in the latter part of the twentieth century."*

—Howell T. Heflin, Chief Justice of Alabama, speaking to the Virginia Bar Association, January 16, 1976.



Chief Justice Warren Burger

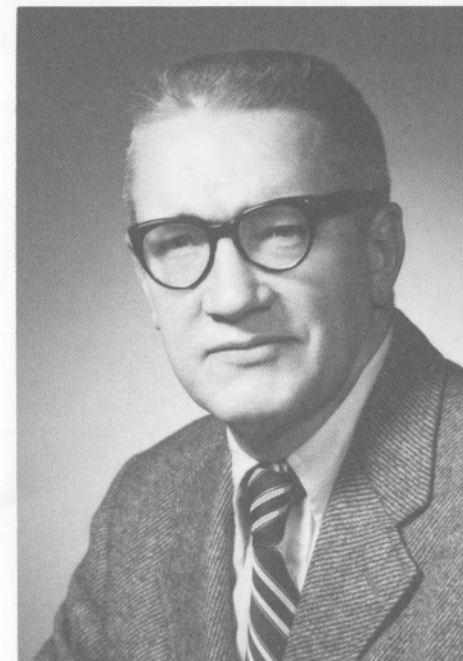
*"The National Center represents state judges of every level. . . . Now they have the resources to study the problems and to develop new methods and new techniques. . . . I have seen the benefits of this kind of research and development center. . . . In my judgment, the National Center for State Courts is the most important single development for the state courts in the administration of justice in this century."*

—Chief Justice of the United States Warren E. Burger, speaking at Williamsburg, Virginia, January 17, 1976.

*"A critical obstacle to reform is lack of enough money to test and adopt promising improvements. . . . The solution? Simply, enough people getting angry enough about the neglect of the courts to bring pressure to bear."*

—George A. W. Boehm, in The Reader's Digest, March, 1976.

## Report from the Director



Edward B. McConnell

**Never before have so many national leaders expressed concern for the urgent needs of the courts.**

For those who serve the cause of court improvement, 1975 was a heartening year. Never before have so many national leaders expressed concern for the urgent needs of the courts. Influential lawyers, legislators, businessmen, journalists, even the President of the United States, have called for modernization of the courts and the commitment of the resources necessary to accomplish this vital task.

The millenium is not yet at hand, however. Some of those calling for an expanded effort have yet to match their words with action. Those who work with the courts on a daily basis may have reservations about the wisdom of some of the specific steps so far proposed. But public commitment by opinion leaders is an essential precursor to court improvement on a major scale, and the past year has seen growing numbers of such commitments.

As this is written, the Congress of the United States is debating ways in which the Federal Government can more effectively contribute to state court improvement within the constitutional framework of the separation of powers and the federal system. These deliberations are proceeding in connection with renewal legislation for the Law Enforcement Assistance Administration. It is to be hoped that one effect of the emerging legislation will be to ensure a greater share of federal funds for the courts, which have long received a share disproportionately small in relation to their critical role in guaranteeing justice for all. Certainly Senators and Congressmen have been made aware of the courts' needs from the unprecedented outpouring of testimony, written and oral, that has emanated from the judicial leadership of the several states. The potential of the National Center for State Courts increases markedly in such a climate of concern.

One of the most significant developments of the year was the organization of the Business and Professional Friends Committee of the National Center under the distinguished leadership of Mr. George A. Stinson, Chairman of the National Steel Corporation. Composed of twenty-eight outstanding leaders of business and the bar (please see page 24), this group has offered to lend such key managerial and technical expertise as the National Center may request. Its members have already held several in a continuing series of meetings in cities from Boston to San Francisco to acquaint community leaders with court needs and progress toward meeting them, including the work of the National Center.

It was a rising ferment for court improvement among leaders of the bench and bar that led to the founding of the National Center for State Courts in the spring of 1971 in Williamsburg. The National Center's mission was and is to meet the states' needs for a central national resource

to aid in their courts' efforts to modernize themselves. Only through modernization can the courts cope effectively with caseloads increasing rapidly in both volume and complexity.

By 1974, the National Center was performing services in or rendering assistance to all fifty states. In 1975, it matched that record and equalled the major-project output of its first three years combined. The scope of activities ranged from diagnosing and prescribing for structural weaknesses in court systems, to consulting on the cost-effectiveness of video technology in the courtroom; from extending the National Center's pioneering work in appellate court reform to additional states, to working on the legislative and administrative implementation of new judicial articles.

During 1975, the National Center was involved in a dozen national scope projects and worked on some sixty-two state and local projects. A significant number involved bringing modern technology into the courts, an area of high potential that is the subject of a more detailed report following this letter. The activities of the National Center are capsulized beginning on page 11. Special mention should be made, however, of three new areas into which the National Center moved in 1975.

Funded by a \$275,500 grant from the National Science Foundation, the National Center began a two-year project to research, evaluate and make recommendations for restructuring and improving small claims courts, one of the most common causes of citizen dissatisfaction with the judicial system. With funding of \$350,000 from LEAA, a Washington-based National Center team began a major project to develop critically needed in-house planning capability for state court systems. Pilot demonstration projects that can later be used as models for other states will be a part of this effort. Regional workshops will be integral to a new National Center project to improve the workings of justice in the courts of rural and non-metropolitan areas, an effort likewise funded by LEAA, with assistance also from the Edna McConnell Clark Foundation, which has helped the National Center significantly in the past. These three projects are of high potential.

Noteworthy also is the ongoing "technical assistance" rendered the states on request by the National Center's Denver headquarters and six regional office staffs. Reporting on one aspect of such assistance, a team of objective contract evaluators wrote in 1975: "Clearinghouse users indicate that there is no other source for them to get the quick and complete response to their requests that they can depend upon from the National Center." Last year the courts called on the National Center for information in a volume 30 percent greater than in 1974, one measure of their growing recognition of its value.

Rapid growth such as the National Center has undergone during its brief existence often outstrips the capacity of internal administrative machinery. In 1975, therefore, an important task was to examine and improve such vital internal disciplines as long-range planning and administrative and financial controls. The results of this process have been substantially implemented. In addition, the Mid-Atlantic Regional Office was relocated to Williamsburg and the South Central Regional Office to Norman, Oklahoma. The University of Oklahoma Law Center there and the Oklahoma Bar Association gave it a gratifying welcome, as well as financial support. At the Denver headquarters, a substantially improved

During 1975, the National Center was involved in a dozen national scope projects and worked on some sixty-two state and local projects.

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Major progress was made toward the time, now scheduled for early 1978, when the National Center's headquarters will move to Williamsburg.

The financial condition of the National Center is stronger than it has ever been.

Both the state charges and the efforts of the Business and Professional Friends Committee are important ongoing funding sources.



computerized accounting and financial management system has been installed and attention is invited to the financial section beginning on page 17 of this report.

Major progress was made toward the time, now scheduled for early 1978, when the National Center's headquarters will move to Williamsburg, the place of its conception. In 1975 the Kresge Foundation of Michigan committed a \$750,000 grant over three years for the headquarters building's construction. Early this year LEAA announced a grant of \$1 million for the same purpose. Funds also were received on earlier pledges, including \$100,000 from the Beazley Foundation of Virginia, \$75,000 of a \$225,000 pledge from the Daniel Foundation of South Carolina, \$100,000 from the Chesapeake and Ohio Railroad Co., \$50,000 from the Anheuser-Busch Charitable Trust, in addition to gifts from Virginia groups and individuals. These, together with pledges from the Virginia Bar Association and Virginia business interests—secured under the leadership of former Virginia Governor Linwood Holton—put the National Center within prudent range of the amount needed for construction of and relocation to the new headquarters. Requests for construction bids were issued this month with ground-breaking to be in the spring of this bicentennial year.

The financial condition of the National Center is stronger than it has ever been—although there is still concern about disproportionate reliance on LEAA as a source of general operational support. As Chief Justice Warren E. Burger said to the American Bar Association in Philadelphia, "The next crucial step is for each state bar president to see to it that his state legislature contributes its fair share toward the permanent funding of the Center. Equitably spread over all the states, the cost to each will be nominal."

A year ago a system of annual charges was announced under which states would contribute to the National Center's support on a population-weighted basis. Forty-two states and two territories are now participating in this program. In 1975 and through the date of this report, they contributed some \$200,000 to the National Center's support. It is anticipated that this amount will increase substantially in the years ahead. Through the leadership of George Stinson's Business and Professional Friends Committee, seventy-four corporations plus law firms and others contributed approximately another \$200,000 during the same period (see page 24). Both the state charges and the efforts of the Business and Professional Friends Committee are important ongoing funding sources, the machinery for which is now firmly established.

The National Center has continued to receive vital help from foundations. In 1975, the Edna McConnell Clark Foundation gave \$45,000 to help finance the Rural Justice Project and other work. The Boston Permanent Charity Fund gave \$40,000 for important work in Massachusetts. The Charles E. Culpeper Foundation of New York gave \$25,000 to finance a vital phase of a project to improve the trial and appellate process. And the Northwest Area Foundation of Minnesota gave \$15,000 for work in its area. The National Center is indebted to them all, as it is to LEAA and the National Science Foundation for the help earlier cited. Private foundations are expected to be a continuing source of financial help for the National Center, especially for support of vital local and



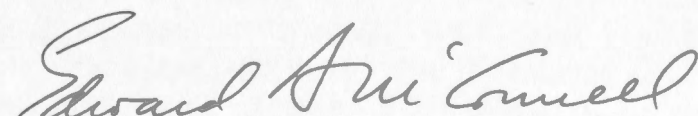
national projects for which governmental funding is not available.

No report on 1975 would be complete without a special word about the staff of the National Center for State Courts. It is the largest, most professionally diversified and broadly experienced staff of any organization in the court improvement field. And no staff could be more dedicated to the cause and organization they serve. Working for and in the courts of the states on a continuing basis, it reinvests the benefits of experience gained in one state in the next. This staff represents the greatest single asset of the National Center in the expanding effort to improve the courts.

At the Annual Meeting this spring, the National Center will lose the wise leadership of Justice Louis H. Burke who recently retired from the California Supreme Court. A founder and distinguished two-time president of the National Center, Justice Burke is retiring from our Board, as are Judge Lindsay G. Arthur of the District Court in Minneapolis and Chief Judge John T. Reardon of the Illinois Eighth Judicial Circuit. All three will be missed, but the National Center is fortunate in the election of their distinguished successors, Judge Roland J. Faricy of the Municipal Court of St. Paul; Chief Justice C. William O'Neill of the Supreme Court of Ohio; and Presiding Judge Robert A. Wenke of the Superior Court of Los Angeles.

The caliber and dedication of the National Center's staff and the distinction of its governing bodies, together with rapidly rising public awareness, strengthen confidence in the ability of the National Center to contribute increasingly to the cause of helping improve the delivery of justice to all Americans.

Sincerely,



March 10, 1976

This staff represents the greatest single asset of the National Center in the expanding effort to improve the courts.

## Technology in the Courts

*"Technology is, of course, only a long Greek name for a bag of tools . . ."*  
—Arnold Toynbee

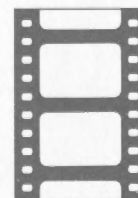
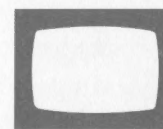
On November 1, 1975, Gerald R. Ford sat down before two television cameras in a small conference room on the third floor of the Executive Office Building next door to the White House. Before Federal Judge Thomas J. McBride and with two television cameras recording his words, Mr. Ford recalled what had taken place in California the September before and answered questions posed by counsel. The atmosphere was described as "dry, businesslike and legal." Two weeks later, a twenty-minute videotape of the deposition was shown on four color television screens in a U.S. District Courtroom in Sacramento, where Lynette (Squeaky) Fromme was on trial for attempting to assassinate the President. For the first time in history, an incumbent President of the United States had testified in a criminal trial.

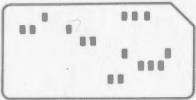
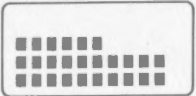
The television affair was of minor historical moment, perhaps, but it did symbolize a quiet revolution that over the last decade has been taking hold across the vast, compartmentalized, almost infinitely complex legal system of the U.S. In fits and starts, its performance to date still dwarfed by its potential, technology has been coming to the courts.

Microfilm is replacing the cartons of old court records that have traditionally clogged the vaults and corridors of overcrowded courthouses. Many courts still operate on the model of one medium-sized midwestern municipal court whose records occupy two whole floors renting for \$7.00 a square foot. But rising space costs, if nothing else, are forcing the modernization of an increasing number of records management functions, reducing computer printouts to more manageable size and filing court papers in a way that makes public access to them less than a lifetime's work. The criminal courts in New York are even microfilming stenotypists' notes. To guide future development, the first major work on microfilm applications for the courts will be published this year as one section of the National Center for State Courts' compendium report on its Court Equipment Analysis Project.



Some court clerks' offices whose routines were typified by "a filing system built around a legal size document, twice folded, covered with blue paper vertically filed in narrow wooden file drawers after being neatly tied with a red ribbon," (in the words of one 1971 writer) today are buying automatic typewriters and other word-processing equipment.

Computers are processing court personnel records and printing payrolls. They are making possible sound jury management systems that, for example, save some \$250,000 per year in one Federal District Court in eastern New York and reduce the weekly juror call from 800 to 150




citizens in one municipal court in New Orleans. They are beginning to provide the indexing, storage and retrieval capabilities that are essential elements in the information systems the courts must have. Computers are even beginning to facilitate the first steps toward the effective scheduling of court calendars—an extraordinarily difficult exercise in that so many trial participants, from judges to witnesses, overloaded prosecutors to delay-minded defense attorneys, all normally operate on totally independent schedules. With the passage of the Federal Speedy Trial Act and its counterpart in many states, computers may supply a near-indispensable “exception management” capability, calling attention to a criminal case in which the time limit for prosecution is close to lapsing.

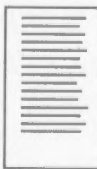
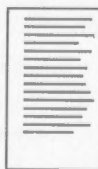



Audio recording techniques are proving to be especially valuable record-keepers in courts of limited jurisdiction, obviating *de novo* appeals that were bogging down the courts. Video recording greatly facilitates taking depositions from witnesses of limited availability, whether because they are tightly scheduled experts or otherwise incapacitated. In a Denver criminal case, a witness paralyzed from the neck down by a gunshot and unable to be moved from the hospital could testify only by video; his evidence led to the defendant’s conviction.




The applications of technology in the courts are the most dramatic and, to laymen, the most conceptually comprehensible aspect of the broader movement to modernize the courts. Americans of the 1970’s find it easier to grasp the convenience of videotaped depositions—without which the President almost certainly would not have testified in the Fromme trial—than they do the needs and niceties of unifying a state court system. Pioneering studies, begun in 1972 by the National Center and now undergoing major evaluation in the courts for operational feasibility and cost-effectiveness, indicate the computer transcribes trial records perhaps ten times as fast as a court stenographer. The advantages of having nonjudges screen cases in the appellate process are much harder to measure.

But there are more compelling reasons why technology is at the cutting edge of court improvement efforts. They can be simply summed up in the word volume, the root cause of congestion and delay in the courts.

It is not just that the general population is growing. There are also many more lawyers per capita than in earlier, less litigious times. It is not simply that the crime rate has risen so. Heightened concern for the rights of the accused has resulted in more free legal service provided by expanded public defender staffs and Legal Aid systems. Thus the ratio of appeals to trials has also risen sharply, even quadrupling in many areas over the last decade. And, as the other two branches of government have failed to solve urgent social problems, a new generation of activists has turned to the courts for resolution of fundamental issues in civil rights, education, the environment and consumer protection. Even such an apparently simple development as the institution of the point system for moving vehicle infractions has had a major effect on the courts. Though no one seems to have anticipated it, giving traffic offenses a cumulative effect has meant more contested cases and more appeals as drivers fight to keep from losing their licenses. Each appeal requires a new trial or a record, and each record further burdens badly overtaxed court-reporting capacity.

Under such pressures caseload volume has soared. No one can even count how much. Nineteenth-century court procedures have all but collapsed under the load.

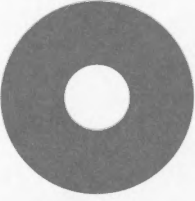


To many, the courts’ employment of modern methods is long overdue. One of the leaders among an increasing breed of court managers is Larry Polansky, Chief Deputy Court Administrator of the Common Pleas Court of Philadelphia. He puts it this way: “The state of the art in computers in the courts is relatively that of the Stone Age. . . . Whereas science began its heavy use of computers in the 1950’s, industry in the 1960’s and the government, in general, in the mid-1960’s, the courts have begun their Genesis in the early 1970’s.”

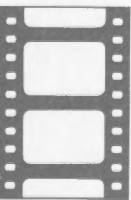

The most obvious starting place for computers and other technological advances was in making the existing systems work better. “Not until we’ve improved the system in place as much as we can,” says one veteran court administrator, “will we be able to make a truly compelling case for more revolutionary reform, for the fundamental changes in the process itself that technology makes possible.”

To the more imaginative, then, the bag of tools also holds a bag of dreams. The conferences of court-improvers, the growing numbers of symposia, the slim pamphlets that peer into the future sketch exciting possibilities. One example is automated case and statute research under which lawyers and judges trigger access to the vast memory and sorting capabilities of computers with key words and topics. The first of these are now in use. Of greater potential for the courts themselves, though its fruition is likely ten years away, is LEAA’s Standard Judicial Information System project. With pilots now operating in eleven states, S.J.I.S. is a truly major effort to develop the basic information systems needed for court management at the state level. Changing technology in the form of the minicomputer makes possible the development of similar decentralized but compatible systems even in small courts. And with the pioneering work done by Judge James L. McCrystal in Erie County, Ohio, the potential of video has been tapped by having all proceedings except the impaneling of the jury and opening and closing arguments recorded and edited in advance, only then presenting the video tape to the jury for deliberation and decision.

Exciting as such prospects are, many of them are still too costly to be of immediate or broad utility. Others present major technical challenges. Yet others, such as the videotaped trial, are too radical to be accepted readily. But as one National Center expert puts it, “We must judge a technological step not simply on what it is now, but on what future options it presents.”



The new always presents acceptance problems, but in an area as essentially and properly conservative as the law, resistance to change has been especially frustrating. Some time ago, one wry court administrator predicted there would not be any machines replacing people in his court “until they make one that can vote and keep company with the judge.” The real fact is that the education and professional training of judges does little to prepare them to truly *manage* court systems, and court administrators did not come on the scene in any numbers until the late 1960’s.

Although receptivity to change has been growing rapidly, many of the real problems remain people problems. In the early days there was simply so little experience with technology in the courts that misapplication and misuse abounded. One court clerk set up his new microfilm unit in the basement under some waterpipes; they leaked, of course, or the story would not be remembered. Some courts simply superimposed microfilm use on their old system, storing both the microfilm and the original files.



Some courts ordered up computer capability far beyond their needs; others tried to save money by installing systems that were cheaper because they were already out of date.

Vendors of the new equipment have even less familiarity with court needs than the courts have with the vendors' wares, and the courts market has been too small to justify special modifications or even vendor training. Technology experts at the National Center have concluded that one of their most essential new functions is as "gatekeepers" between courts seeking the help of new tools and vendors trying to provide them.

As all this implies, patience and an understanding of psychology are imperative virtues in court-improvement work. In one eastern state, an administrator frustrated by the courts' professed inability to prepare usable audio transcripts solved the problem by scheduling Saturday morning training sessions. Few sessions were required before performance picked up remarkably. More systematic approaches are also proving invaluable in laying the groundwork for future improvement. LEAA's National Advisory Commission on Criminal Justice Standards and Goals and the American Bar's Commission on Standards of Judicial Administration have published standards on court improvement that include guidelines for the effective use of technology in areas from management of the jury system to caseload management. The National Center will soon be issuing a series of manuals as part of its Court Equipment Analysis Project. And pioneering work done in some jurisdictions—such as the National Center's 1974 work on Video Support in the Criminal Courts, based on studies in eight states—leads to the same experts being called into an increasing number of other jurisdictions.

To ensure the desired results from technological change, there is increasing reliance in the courts on the kind of "systems" approach that has come to characterize American business's use of technology. "When the courts have gone wrong," says Dr. J. Michael Greenwood of the National Center, "it is usually because some essential step has been skipped. Technology's applications must be brought on line only after a real and specific need has been established and the solution properly customized. The focus has to be on the task, then on the tools."

Even so there are limits. Some of the most significant uses of microfilm- and computer-based information systems are in a handful of counties in one western state. Unfortunately, these systems are incompatible with each other, and communication between the jurisdictions—an inherent potential—is impossible. A like situation prevails between the two largest cities in an improvement-minded industrial state in the East. And the counties in most states might just as well be in separate foreign countries.

Thus, the most compelling lesson of the technological revolution in the courts so far is the need for more fundamental improvements in less technical areas—for example, a reasonable level of court unification to reduce self-defeating compartmentalization; adequate planning capability for state court systems so that the historic failure to adapt to changing demands will not be repeated. Happily, few are more conscious of these needs than the National Center and other leaders of today's technological progress in the courts.

## Projects and Professional Activities

*During 1975, the National Center's work ranged from national or multi-state projects to programs for individual local courts, from a vigorous publications program designed for many readers to specific research performed in response to requests from individual courts. Some projects and activities were completed relatively quickly in response to urgent, identified needs; others, generally of broader scope, are accomplished over several years; still others are planned in one fiscal year and executed in another. In the following columns, projects and activities completed, initiated or in progress during 1975 are briefly described.*

*Not included are a substantial number of 1976 national scope, state and local projects. Some are still awaiting funding; on others, grants and contracts have been awarded and work begun.*

### Completed in 1975

**Alabama Judicial Article Implementation.** Executed by the Southeastern Regional Office, this project assisted the Alabama judicial leadership in both the drafting and explanation of legislation to implement Alabama's new judicial system. That legislation was enacted and the project successfully completed.

**California Consolidated Court Services Project.** This study by the Western Regional Office involved a two-year analysis of all nonjudicial functions and operations of the superior and municipal courts in Ventura County, California. Final conclusions and recommendations were submitted to the California Judicial Council regarding consolidation of these functions with emphasis upon court reporting services, jury operations, witnesses, interpreters, appointed counsel, records systems and branch court operations. The project furnishes a prototype management design for other counties considering the consolidation of nonjudicial functions of trial courts.

**Court Financing and Budgetary Processes.** Professor Carl Baar, Brock University, St. Catharines, Ontario, a former staff member, conducted for the National Center a three-year, in-depth analysis of trends in state court financing and of the correlation between financing methods used and the levels of financial support achieved by state court systems. The results of this study were published in the book, *Separate But Subservient: Court Budgeting in the American States*, D. C. Heath & Company, 1975, the most definitive work to date on the subject.

**Study of the Connecticut Judicial Department's Computer Options.** The Northeastern Regional Office analyzed the computer options available to the Connecticut Judicial Department, which experienced a rise in computer costs from less than \$100,000 in 1969 to \$1,540,000 in 1974. Cost-benefit analysis as well as other management techniques were used to recommend a number of computer options. In addition, the report recommended that Connecticut adopt a planning, programming, budgeting system approach in planning future computer systems.

**Maine Court Clerks Manuals.** The in-office operations manual written for district court clerks by the Northeastern Regional Office provided a step-by-step description of procedures for processing court documents and maintaining court records. All district courts in Maine now use the manuals for daily reference and training new clerical personnel. The superior court clerk's manual contains procedures most frequently used by the clerks including: civil and criminal case processing, appellate review, divorce, habeas corpus and administrative procedures. The National Center held a statewide clerks conference to review the manual.

**Hawaii Guidebook for Videotaping.** The National Center compiled an extensive summary of Hawaii's state laws affecting usage of video technology in the courts. In addition, the project report outlined what other states are doing and suggested standards. A pilot video deposition center was also set up, and court personnel were instructed in the use of the video system.

**Administration of the Massachusetts Courts.** The Northeastern Regional Office made a detailed analysis and report to the Supreme Judicial Court of the present structure and administrative powers (rule-making, appointment of personnel, financial authority, internal and external superintendence and power of assignment) in each level of the state courts.

**North Dakota Judicial Information System.** The North Central Regional Office conducted a major study of the North Dakota judicial system, including a comprehensive analysis of its information needs. The project team designed and helped to implement a case reporting system for all general jurisdiction trial courts. It also outlined an information system master plan for the rest of the judicial system. In addition, a Child Support Payments Procedures Manual for district court clerks was developed.





**Appellate Justice Project.** Following completion of the two-year National Appellate Justice Project, reports were published describing second-year results in the use of central legal staffs to expedite case processing in the Virginia Supreme Court, the Nebraska Supreme Court and the intermediate appellate courts of Illinois and New Jersey. A supplement to Professor Daniel J. Meador's book, *Appellate Courts: Staff and Process in the Crisis of Volume*, West Publishing Company, 1974, was published updating results of the demonstration project.

**Court Filing Fees.** The National Center headquarters staff undertook a study on court fees for the Missouri State Court Administrator's Office. Comparative data on federal and representative state systems is included.

**Personnel Study for Massachusetts Appellate Courts.** The Northeastern Regional Office prepared job descriptions and a uniform compensation schedule for clerical personnel of the Supreme Judicial Court and the Appeals Court.

**Washington Appellate Courts.** The Western Regional Office performed an analysis of the caseload, screening procedures and functions of professional and administrative personnel in both the Washington Supreme Court and Court of Appeal. A comprehensive report recommended improvements in each area, most of which are now being implemented.

**Second National Conference on Pretrial Release and Diversion.** The National Center prepared materials and reports for and staffed a nationwide conference of the National Association of Pretrial Services Agencies held in April, 1975. Nearly 300 agency administrators and others concerned with pretrial release and diversion met and considered problems of program planning, management, funding and evaluation, and legal issues in program administration. The National Center also developed training materials for use by pretrial services agencies nationwide.

**California Judicial Statistics System.** A study of California's extensive system for gathering statewide judicial statistics resulted in recommendations by the Western Regional Office to the Judicial Council regarding the quality, retention and addition of information developed by this system.

**Nebraska Court Reporting.** The North Central Regional Office made a comprehensive study of court reporting in Nebraska. Staff interviewed judges and court reporters throughout the state and collected statistical data on the production of transcripts in appealed cases. The final report addressed the status, duties and responsibilities of the reporter, the content and production time of the transcript, and alternative court reporting techniques.

**Effectiveness of Pretrial Release Programs.** Under a National Science Foundation grant, Denver-based staff analyzed research on the operation of pretrial release systems in the United States, including money bail. The project report provides policymakers and researchers in the criminal justice field with an overview of policy considerations, a review and assessment of the research literature, a summary of current knowledge in the field, an outline of the elements of a model data-collection system, and an evaluation design for pretrial release programs.

**Administration and Appellate Process in Delaware State Courts.** The Northeastern Regional Office performed an analysis of the administration of the Delaware state courts and a study of the appellate process in the state. The appellate study offers the Supreme Court of Delaware several alternatives from which to choose a means of dealing effectively with its increased caseload.

**Louisiana Court Clerks Record Management Study.** A manual for court clerks was designed by the South Central Regional Office for use in the parishes of Louisiana. The manual is designed to make more uniform the operating procedures in the various clerks' offices.

**Virginia Case Docketing and Reporting.** Virginia's courts of limited jurisdiction were unified into a statewide system in 1973. The Mid-Atlantic Regional Office was asked to provide the Virginia Committee on District Courts with a new docketing system for all 178 district courts and a weighted caseload reporting system for both judges and clerical staff.

**Tennessee Court Reporters Manual.** The Southeastern Regional Office developed a manual for official reporters in the Tennessee criminal courts, covering administration, operating procedures and a revised standardized format for transcript preparation.

**New Mexico Administrative Office.** The South Central Regional Office completed an in-depth study, with recommendations, of the New Mexico Administrative Office of the Courts.

**Comprehensive Study of the Rhode Island Family Court.** This project provided an evaluation of the operational effectiveness of the Rhode Island Family Court since its inception in 1961. It identified problem areas and recommended specific improvements.

**Maine Juvenile Court Services.** The Northeast Regional Office recommended to York County the institution of an experimental counselling and social investigating unit under the supervision of the District Court. The unit was installed, monitored and evaluated.

**Regional Court Improvement Conferences.** A court planning and training seminar for eastern judges and court executives was sponsored by the Northeastern Regional Office in April, 1975. A western regional conference held in May, 1975, considered new developments in state court financing and improvements in the appellate process.

**Wisconsin Appellate Study.** The Western and North Central Regional Offices studied the operation of the Wisconsin Supreme Court. Working with a committee of Wisconsin lawyers and judges, the project team interviewed participants and analyzed data on the internal procedures of the Court and the clerk's office. A series of recommendations were made with the assistance of a distinguished group of national experts.

**Puerto Rico Court Reporting.** The National Center staff surveyed Puerto Rico's court reporting system and made a number of recommendations regarding audio recording, forms and manuals, personnel procedures, rules, standards of performance, and transcripts. In 1976 the National Center will assist Puerto Rico in implementing those recommendations that the courts adopt.

**King County, Washington, District Court.** The Western Regional Office made a comprehensive examination of the district courts in King County (Seattle) and made recommendations concerning district boundaries, role of the court administrator, standards for determining needs for judicial and nonjudicial personnel, calendaring and financing.

**Massachusetts Court Facilities.** As part of its comprehensive study of the Massachusetts courts, the National Center's office in Boston surveyed court facilities throughout the Commonwealth. Individual reports were made on each court, compilations were prepared by counties or regions, and a summary analysis and recommendation volume was prepared. The study team recommended that Massachusetts adopt design and maintenance standards, a replacement timetable for outdated facilities, and a uniform costing method for maintaining facilities and ascertaining operating expenses.

## Initiated in 1975

**State Court Planning Capabilities Project.** In July, 1975, the National Center began this project with a \$350,000 grant from the Law Enforcement Assistance Administration. The project is an integral component of a major LEAA initiative to enhance the planning capabilities of state court systems throughout the country. Efforts will be undertaken in cooperation with a small number of "pilot states" to learn more about how planning can be useful to state court systems. This knowledge will be made available to all state courts through a technical assistance program which will include conferences, seminars, publications and on-site visits.

During 1975, the project, which is operated from the Washington, D.C., office and involves personnel of all the regional offices, began working in the

first pilot state (Georgia) and provided technical assistance to 15 states. Project staff also began development of a monograph describing the current state of the art in court planning, which will be published this spring. While the initial LEAA grant is for one year, it is anticipated that the project will be extended for a total of three years.

**New Hampshire Standards and Goals.** The Northeastern Regional Office staff is assisting the New Hampshire Judicial Department in the development of standards and goals for the courts. Topic areas have been developed through meetings with regional and statewide groups with wide citizen participation. Specific standards will be based upon the needs as expressed by these groups and the analysis of standards developed by national organizations. A planning process developed by the Center for Constructive Change in Durham, N. H., will be used throughout. The resulting product will include guidelines for organization and procedures in the courts and a method for development by the Judicial Department of additional standards.

**Alaska Systems Evaluation.** A joint effort is being mounted by members of the Western Regional Office staff and personnel of the Alaska court system to develop improvements and alterations in the system by which judicial and nonjudicial functions are performed. Included is a review, consolidation, and simplification of judicial records and forms in use throughout the state.

**Evaluation of Small Claims Courts.** A two-year study of small claims courts was begun in 1975, under a research grant of \$275,500 from the National Science Foundation. Project staff will conduct an intensive analysis of small claims courts and interview plaintiffs and defendants who use these courts. Courts in at least 12 states are being studied to determine which procedural and staffing arrangements enable small claims courts to best serve the public. The project has been designed both to pinpoint problems in the use of these special courts and to suggest changes to enable the courts to be more responsive to the needs of individual litigants.

**Tennessee Judicial Information System.** This ongoing project by the Southeastern Regional Office will develop a new judicial statistical reporting system, a new annual report format for the judicial branch and an information system master plan. Presently collected statistics will be analyzed for accuracy and usefulness to policymakers.

**Maryland Court Reporting Study.** A court rule gives the Chief Judge of the Maryland Court of Appeals authority to establish rules for court reporting services. The Mid-Atlantic Regional Office is studying the present court reporting system and will recommend what rules and procedures should be adopted pursuant to the court rule.

**New Mexico Limited Jurisdiction Courts.** The South Central Regional Office interviewed judges, attorneys and private citizens who have used these courts in New Mexico to determine the efficiency of the limited jurisdiction courts. Recommendations designed to effect structural and organizational changes will be made.

**National Fiduciary Accounting Standards.** The National Center is staffing and participating in a joint project to develop in the states uniform fiduciary accounting standards, procedures and simplified forms with a goal of providing greater protection to beneficiaries. Other organizations cooperating in the project are: the American Bar Association, Real Property, Probate and Trust Law Section; the American Bankers Association, Trust Section; the American Institute of Certified Public Accountants; the American College of Probate Counsel; and the National College of Probate Judges.

**Maine Superior Court Benchbook.** This project is to produce a ready reference resource volume regarding trial procedures for the judges of Maine's superior courts, which have general trial jurisdiction of civil and criminal matters, and review determinations of the district courts, probate courts and administrative agencies.



**New Hampshire Probate Manual.** The New Hampshire probate courts have requested the preparation of a probate court manual to document existing procedures and to use in probate case processing. The project will go far towards standardizing forms and procedures in these courts.

**Utah Courts of Limited Jurisdiction.** An analysis is being made by the Western Regional Office of the structure, jurisdiction, staffing and financing of the city and justice of the peace courts in Utah.

**Washington District Court Benchbook.** This project of the Western Regional Office involves development of a benchbook for use by Washington trial judges in the processing of felony cases with emphasis upon pretrial proceedings.

**Rural Justice Project.** In late 1975, the National Center received funding for a project aimed at identifying and designing strategies for solving key problems affecting the administration of justice in rural areas of the United States. During 1976, three workshops will be held for judges, clerks, court administrators, prosecutors, defense attorneys and sheriffs in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming. The Institute for Court Management will assist in planning and conducting the workshops.

**Oklahoma Standards and Goals.** The South Central Regional Office is comparing the operations of the Oklahoma state courts with the standards and goals recommended by the National Advisory Commission on Criminal Justice Standards and Goals.

**Alabama Court Administration.** The Southeastern Regional Office is assisting in developing court rules, a personnel administration system, and in designing administrative procedures to implement the constitutional amendment and statutes which have established Alabama's new judicial system.

**Study of Unpublished Opinions of California Courts of Appeal.** California court rules provide for nonpublication of opinions of the intermediate appellate courts. A review of the opinions to which those rules have been applied with an analysis of the rules themselves has been prepared by the Western Regional Office. When published, it will be of assistance, not only to the California courts, but also to appeals courts of other states considering the adoption of such rules.

**Wyoming District Court Benchbook.** The North Central Regional Office has researched, designed and compiled a benchbook of criminal law and trial procedures for the use of the general jurisdiction trial judges of Wyoming.

**Massachusetts Court Budget Study.** As part of its comprehensive study of the Massachusetts courts, the Northeastern Regional Office evaluated budgeting techniques in use in the courts. Although the Commonwealth requires that standard accounts be used when submitting budgets, every court has its own method of processing budgets which makes comparisons difficult. The staff recommended standardizing the information gathering for budget preparation, and manuals are being prepared to accomplish this purpose.

**Monitoring Development of Alaska's Judicial Information System.** A team from several National Center offices is assisting the Administrative Director and other Alaska court officials in the design and implementation of an automated judicial information system for statewide use.

**Providing Legal Counsel to Indigent Criminal Defendants in New Hampshire.** The National Center office in Boston is making an evaluation of the present method of providing legal counsel to indigent criminal defendants in New Hampshire for the Administrative Committee of the District and Municipal Courts. The aim of the study is to analyze and integrate all existing services in order both to design a long-range plan and to provide an interim program for delivery of defense services.

**South Dakota Seventh Circuit Caseflow Management Project.** The North Central Regional Office is studying the calendaring and caseflow procedures of the Seventh Circuit of South Dakota.

**Management of Court Reporting Services.** Under a grant from the Charles E. Culpeper Foundation, a monograph is being prepared and will be widely disseminated analyzing problems and issues in the court reporting field. There will be an extensive presentation of alternative management and technological strategies for modernizing and making more efficient the operation of court reporting services.

### In Progress During 1975

**Courts' Equipment Analysis.** The Courts' Equipment Analysis Project is designed to provide state courts nationwide with comprehensive information in nontechnical form on court-related equipment in four areas: electronic data processing, microfilm, audio/visual and business equipment. Through user's guidebooks and reference guides, the project will aid court managers in understanding basic technology; identifying problems of current manual operations and determining where automation and other technological advances can be justifiably substituted; selecting and implementing proper systems; effectively utilizing existing equipment; and adopting appropriate court equipment standards. The Technology Committee of the American Bar Association's Judicial Administration Division is providing judicial input in an advisory role.

**National Conference on Appellate Justice.** Subsequent to the Center-staffed National Conference for Appellate Justice in January, 1975, the Advisory Council for Appellate Justice completed its activities, and the Center published Volume V of *Appellate Justice 1975*. It describes the proceedings and conclusions of the Conference and includes the Council's final recommendations for improvement of appellate practices.

Under the National Appellate Implementation Plan developed following the Conference, National Center regional and headquarters staff are completing a nationwide survey of the status and condition of state appellate courts.

**Tennessee Consulting Services.** This project provides the Supreme Court of Tennessee and its Executive Secretary with direct access to resources of the National Center and the Southeastern Regional Office for solution of problems as they are identified in a rapidly changing state system. Hands-on work is proceeding in areas of judicial caseload and assignment, audio equipment specification preparation and vendor evaluation, analysis of court reporting services and clerk operations, review of a video pilot project, and state court administrative office expansion and reorganization.

**Trial Delay in Notorious Cases.** A National Center-sponsored study by Professor John M. Poulos of the University of California Law School at Davis, to be completed in 1976, examines the causes of delay in notorious criminal cases. Suggestions will be made for contingency plans by state trial courts for future use in such high-visibility cases.

**Hawaii Grand Juries.** The Western Regional Office made an analysis of the operations and problems of the petit and grand jury systems. During 1976, recommendations will be developed for changes in the system necessary to correct problems previously identified.

**Computer Preparation of Court Transcripts.** The first phase of this project determined that computer-aided transcription (CAT) is technically feasible for courts. In the second phase, currently in progress, the National Center is providing advisory assistance to courts initiating CAT and is sponsoring a large court-operated system in the Philadelphia Court of Common Pleas. The Philadelphia CAT project has become fully operational with 15 court reporters and a projected annual production of 150,000 pages. Emphasis in phase two is on determining the economic feasibility of CAT for courts and on developing procedural standards for this new technology. A booklet, "Evaluation Guidebook to CAT," was published in 1975.

**Arizona Appellate Experiment.** The Western Regional Office is continuing its monitoring and evaluation of an experiment with new methods in expediting appellate hearings and decisions.

**Missouri Court Cost Analysis.** The South Central Regional Office is nearing completion of phase one of the Missouri Court Cost Analysis Project, which will result in a model for use in projecting the cost of court operations. The model will include all civil and criminal dispositions by whatever means. It will be tested in several courts in Missouri during the subsequent phase.

**Secretariat Services to National Court Organizations.** The National Center serves as Secretariat to court-related organizations as a means of furthering the coordination and assisting the efforts of other groups in the field of judicial administration. Among the services offered are meeting arrangements, development of programs, preparation of newsletters, budgeting, billing, accounting, tax services and membership maintenance. Such services are currently being provided to the National Conference of Appellate Court Clerks, the National Association of Trial Court Administrators and the National Association for Court Administration.

**Evaluation of Pretrial Release Programs.** A follow-up to the National Center's earlier survey and analysis of the research in the pretrial release field, this project is assessing the current effectiveness of pretrial release programs, identifying knowledge gaps and developing designs for improvements in the field. In addition to updating the earlier analysis of the research literature, the project staff has undertaken a questionnaire survey of 109 pretrial release programs nationwide and has made site visits to more than a dozen jurisdictions. This project is funded by a grant from LEAA's National Institute of Law Enforcement and Criminal Justice.

**Diversion of Civil Litigation.** This study is sponsored by the National Center, funded by LEAA and directed by Professor Earl Johnson, Jr., of the University of Southern California Law Center. It will inform court and criminal justice planners of the relative effectiveness of programs to divert civil matters from the formal adjudicative process, so that courts can devote more of their limited manpower and resources to more serious criminal and civil cases.

**Training of Court Personnel.** During 1975, the National Center continued to coordinate and monitor the expenditure of over a million dollars in LEAA funds, supporting six major national organizations engaged in the education and training of judges and other court personnel: the National College of the State Judiciary, the National Council of Juvenile Court Judges, the Institute of Judicial Administration, the American Academy of Judicial Education, Louisiana State University Appellate Judges Seminars and the Institute for Court Management.

Follow-on work on the National Center's "Guidelines for Development of Computer Training Curricula for Court Personnel" began last year. These guidelines, developed and published in 1974, were used as a basis for preparation of training materials for court personnel. These materials will now be tested, revised and disseminated to the states.

Work also began on an expanded and updated revision of the "State Judicial Training Profile" to provide information gathered from all the states on agencies and personnel involved in court-related education and training, programs offered, administrative structures, court training budgets, funding sources, educational materials and publications available, and evaluation procedures.

**Interorganizational Coordinating Meetings.** The National Center prepares and conducts twice-yearly meetings of staff directors of national, nonprofit court-improvement and training organizations. Through these meetings and close interorganizational contact, it has been possible to develop a coordinated approach to many problems of court improvement, to avoid duplication of effort, and to develop cooperative programs utilizing the specialized talents of organizations and of staff professionals.





## Information and Technical Assistance

**Information and Library Services.** The National Center in 1975 substantially advanced its capability as a major resource for providing timely data and research to state court systems. Some 400 formal requests for information were researched by headquarters staff. Inquiries came from 48 states and three territories, from national and local courts, from the news media, the bar, legislators, LEAA and state planning agencies, from law schools, and from the National Center's own regional offices.

Assistance provided extended from furnishing statistics to researching and answering complex questions on court unification. While no single topic of inquiry dominated, particular interest was shown in court financing, jury management, grand juries and subjects pertaining to nonlawyer judges. The major source of data is the National Center's Denver library. It houses a unique collection of some 5,000 texts, studies, treatises and current court reports from all states and represents input from public and private agencies, universities, foundations, legal and judicial organizations, and individual experts and consultants concerned with court systems.

A related effort carried on primarily in the National Center's regional offices is the development of unique "profiles" on each state's judicial system describing the structure, jurisdiction and rules, and containing budget and personnel information. Each of these profiles is being prepared in a uniform format so as to facilitate comparative research.

**Technical Assistance.** In addition to the types of projects described in these pages, the National Center provides a wide range of other assistance to state and local courts. Many of these efforts involve short-term, on-the-spot technical assistance on a particular problem. When appropriate, the National Center also assembles a team of specialists who visit a jurisdiction, provide consultation, and then follow up with a letter and recommendations. Demonstrations of new technology, evaluation services, and extensive professional staff participation on advisory committees and in local and state training conferences are other forms of assistance the National Center is providing in growing volume.

Examples of technical assistance requested and provided in 1975 include:

- Preparation of an analysis of the makeup, powers, activities, and staff and budget support of selected eastern state judicial councils for a jurisdiction wishing to improve its own council.
- Development of a plan for regional law libraries for a rural state.
- Consultation with county commissioners, judges and architects in several western states and recommendations for space utilization in connection with local courthouse building or modernization programs.
- Development of a basic courts statistics handbook with examples of sound practice for use by court clerks in several eastern states.
- Preparation for a small state of a compendium of juvenile services resources available to the courts, including diagnostic services, diversion services and residential and nonresidential treatment alternatives.
- Recommendations on the operation of a juvenile court and detention facility.
- Recommendations for a new paper flow and filing system for a state court administrator's office.
- Program arrangements for a five-state meeting of state court administrators and their top staff assistants.
- Development of specifications for audio equipment needs for the district courts of a border state.
- Drafting of proposed legislation to effect project recommendations and testimony before state legislative committees.
- Development of forms for use in cases of children in need of supervision.
- Recommendations for increased use of restitution as an alternative to traditional dispositions in certain types of cases in a New England state.
- An analysis of proposed legislation to create a countywide municipal court.
- Presentations to state and local bar associations on legal and technical aspects of new video and court-reporting technologies.
- An evaluation of a southern state's master plan for information systems program development.
- Training of court clerks in records management and computer applications.
- Monitoring the progress of implementation of trial court information systems.

## Publications

National scope projects of the National Center result in publication of one or more reports which are disseminated among the courts nationwide and to interested court, research and law-related institutions. Results of selected state and local projects of interest outside the immediate jurisdiction affected are also published and disseminated. Executive summaries of significant project reports often receive wider distribution than the full reports.

In addition to national publications, each regional office produces appropriate materials and reports on each of its projects, primarily for use of the court, legislature or other body which contracted for the project.

A bibliography of National Center publications and reports may be obtained from the Director of Publications at the Headquarters Office in Denver. Publications may be obtained there, and in most cases from the regional offices, and at various libraries and research centers which subscribe to National Center publications. Many publications and reports are in short supply but are available on a one-month loan basis from the Director of Publications in Denver.

The National Center also publishes the following periodicals:

National Center for State Courts Report—published monthly and distributed to nearly 6000 judicial and government officials and interested private citizens.

Judicial Salary Survey—published quarterly covering salaries of judges of all state appellate and trial courts and of state court administrators.

Master Calendar—published monthly providing comprehensive information on meetings, conferences and training seminars of interest to court personnel.

Washington Memo—a newsletter on Congressional and other Washington developments which affect state courts mailed periodically to a limited list of state court leaders.

## Financial Report

The year 1975 was especially important financially for the National Center for State Courts. While support continued from the Law Enforcement Assistance Administration, important nonfederal funding mechanisms also began functioning systematically and administrative controls were significantly improved. At the close of 1975, the National Center was much stronger financially and its management systems more effective.

To support the work of national scope projects, the National Center received \$2,167,032 in federal grant funds in 1975. Most such projects were operated and administered from the Denver headquarters, with assistance as appropriate from regional office staff. The regional offices received \$899,522 for state and local projects. The National Center also received \$491,411 in grants and contributions from other sources to supplement project funds from the Federal Government and state and local court systems. Of this latter amount, \$163,700 was received in calendar 1975 through the efforts of the Business and Professional Friends Committee; \$186,829 was received in the form of state charges from thirty-nine states and two territories. Other income totaling \$140,882 for current operations came from private foundations, earned interest on the investment of unrestricted funds and the sale of publications.

The financial system of the National Center is based on the principles and concepts of Fund Accounting. The Balance Sheet of the National Center is in fact an aggregation of four balance sheets representing unrestricted or corporate funds, project funds restricted by the donor or sponsoring agency, building funds, and asset values of the equipment and furnishings acquired over time. The Statement of Revenues, Expenses and Changes in Fund Balances summarizes revenues and expenses to each of these Funds and the effects of 1975 operations on the Fund Balances. The summary entitled Statement of Functional Expenses indicates the pattern of utilization of those funds in carrying out the work of the organization, for which the largest categorical outlay is for the personnel of the organization. The accompanying notes clarify key figures on the various statements. A letter from the National Center's external auditors, Haskins and Sells, states their opinion as to the fairness of presentation of the Center's financial position, results of operations and changes in fund balances.

A complete new accounting and financial management system was designed, developed and implemented during 1975. This system, now fully operational, enables detailed monitoring of actual project revenues against budgeted revenues, actual project expenses against budgeted expenses and the cash positions of all projects of the Center on a monthly basis. The system was designed to be a model adaptable to the needs of other not-for-profit organizations, including court systems.



Balance Sheet  
December 31, 1975

18

	Current Fund		Building Fund	Equipment Fund	Total
	Unrestricted	Restricted			
Assets:					
Cash.....	\$251,826	\$ 90,598	\$339,522		\$ 681,946
Accounts receivable.....	3,715				3,715
Grants and contracts receivable .....	130,276	165,320			295,596
Gifts and donations receivable .....	5,000		152,650		157,650
Advances to subcontractors (Note 1).....		164,823			164,823
Prepaid expenses .....	22,009				22,009
Office equipment, furniture and fixtures, and leasehold improvements— at cost (less accumulated depreciation and amortization of \$55,644) (Note 1) ..				\$146,057	146,057
Construction in progress .....			126,740		126,740
Total .....	<u>\$412,826</u>	<u>\$420,741</u>	<u>\$618,912</u>	<u>\$146,057</u>	<u>\$1,598,536</u>
Liabilities:					
Accounts payable.....	\$ 54,560	\$ 30,528	\$ 28,800		\$ 113,888
Due to subcontractors .....	16,146				16,146
Due to federal grantors .....	82,080				82,080
Vacation liability .....	85,075				85,075
Sick leave liability .....	84,007				84,007
Reserve for project losses (Note 1) .....	10,000				10,000
Other .....	7,434				7,434
Total liabilities.....	339,302	30,528	28,800		398,630
Fund Balance.....	73,524	390,213	590,112	\$146,057	1,199,906
Total .....	<u>\$412,826</u>	<u>\$420,741</u>	<u>\$618,912</u>	<u>\$146,057</u>	<u>\$1,598,536</u>

See Notes to Financial Statements.

Statement of Revenues, Expenses  
and Changes in Fund Balance  
For the Year ended December 31, 1975

19

	Current Fund		Building Fund	Equipment Fund	Total
	Unrestricted	Restricted			
Revenues (Note 1):					
Federal grants .....		\$2,167,032			\$2,167,032
State and local grants and contracts .....		899,522			899,522
Other grants and contracts.....	\$ 1,857	26,955			28,812
Private contributions .....	287,160	24,390	\$ 1,000		312,550
State charges .....	186,829				186,829
Subcontractors:					
Federal grants .....		1,023,554			1,023,554
Nonfederal funds.....		892,174			892,174
Interest and other .....	15,565	3,755	15,749		35,069
Total .....	<u>491,411</u>	<u>5,037,382</u>	<u>16,749</u>		<u>5,545,542</u>
Expenses:					
National scope projects:					
National Center .....	16,638	794,433			811,071
Subcontractor.....		2,052,509			2,052,509
Total national scope projects.....	<u>16,638</u>	<u>2,846,942</u>			<u>2,863,580</u>
State and local projects:					
Western Regional Office .....	5,802	210,210			216,012
North Central Regional Office .....	3,158	107,179			110,337
Northeastern Regional Office .....	81,664	224,204			305,868
Mid-Atlantic Regional Office .....		87,166			87,166
Southeastern Regional Office .....	3,397	77,022			80,419
South Central Regional Office .....	10,663	102,823			113,486
Total state and local projects.....	<u>104,684</u>	<u>808,604</u>			<u>913,288</u>
Management and general:					
Headquarters general administration and program services .....	240,866	1,259,827			1,500,693
Depreciation and amortization .....				\$ 26,667	26,667
Total management and general.....	<u>240,866</u>	<u>1,259,827</u>		<u>26,667</u>	<u>1,527,360</u>
Total .....	<u>362,188</u>	<u>4,915,373</u>		<u>26,667</u>	<u>5,304,228</u>
Revenues over (under) Expenses .....	<u>129,223</u>	<u>122,009</u>	<u>16,749</u>	<u>(26,667)</u>	<u>241,314</u>
Other Changes in Fund Balance:					
Transfer to unrestricted fund.....	58,730	(58,730)			
Equipment acquisitions (Note 1).....		(63,652)		63,652	
Fund Balance, January 1 (Note 2).....	<u>(114,429)</u>	<u>390,586</u>	<u>573,363</u>	<u>109,072</u>	<u>958,592</u>
Fund Balance, December 31 .....	<u>\$ 73,524</u>	<u>\$ 390,213</u>	<u>\$590,112</u>	<u>\$146,057</u>	<u>\$1,199,906</u>

See Notes to Financial Statements.

Schedule of Functional Expenses
For the Year ended December 31, 1975

Regional Offices	State and Local Projects					
	Western	North Central	North-eastern	Mid-Atlantic	South-eastern	South Central
Personnel.....	\$148,445	\$ 73,072	\$237,565	\$32,102	\$61,350	\$ 84,058
Professional.....	1,780	1,551	9,555	30,569	4	3,400
Travel.....	28,661	22,595	24,410	16,927	12,780	21,337
Communication.....	155	1,745	4,658	3,446	1,523	1,065
Rent.....		769				442
Operating and supplies.....	36,971	10,605	29,680	4,122	4,762	3,184
Total.....	\$216,012	\$110,337	\$305,868	\$87,166	\$80,419	\$113,486

Headquarters and Regional Offices	State and Local Projects Summary	National Scope Projects		Management and General	Total
		National Center	Subcontractor		
Expenses reported by subcontractors.....			\$2,052,509		\$2,052,509
Personnel.....	\$636,592	\$464,693		\$ 909,358	2,010,643
Professional.....	46,859	74,085		68,739	189,683
Travel.....	126,710	146,788		89,123	362,621
Communication.....	12,592	10,222		83,593	106,407
Rent.....	1,211	12,754		108,172	122,137
Operating and supplies.....	89,324	102,529		214,804	406,657
Depreciation and amortization.....				26,667	26,667
Fund raising.....				26,904	26,904
Total.....	\$913,288	\$811,071	\$2,052,509	\$1,527,360	\$5,304,228

Notes to Financial Statements

1. Summary of Significant Accounting Policies

**Purpose.** The National Center for State Courts (the "Center") is a nonprofit organization created to improve judicial administration in the state courts of the nation. Programs and projects are undertaken in areas of research, education and training, and other activities for such courts which are intended to assist, supplement and coordinate, but not to supplant, the activities of organizations functioning in the field of judicial administration.

Subcontractors (other parties participating in rendering program services under grants) also receive funding under the terms of multi-program grants channeled through the Center. Under the terms of these package grants, funds are received by the Center and forwarded to these institutions as needed on the basis of program plans and budgets approved by the Law Enforcement Assistance Administration (LEAA). The Center has monitoring responsibilities for revenues and expenses of subcontractors under these programs.

**Revenues.** Revenues from grants and contracts are recorded at the time funds are received or accrued to the extent of expenses, not exceeding authorized maximum amounts. Funds forwarded by the Center to subcontractors are recorded as advances to subcontractors until such time as expenses are reported against the advances. At that time, federal grant revenue of subcontractors is recorded to the extent of reported expenses. Subcontractor revenue from nonfederal funds is recorded at the time of reporting by subcontractors. Contributions by private donors and state charges are recorded at the time of receipt. Revenue from pledges by private donors is recorded when written commitments are received.

**Fund Balance.** The Center's financial reporting and accounting system embodies four funds covering all activities of the organization:

- The Unrestricted Fund—for revenues not restricted in use by the donor and expenditures not chargeable to a grant or contract.
- The Restricted Fund—for grants, contracts and other revenues restricted by the sponsoring agency.

The Building Fund—for transactions

related to the headquarters building project (Note 2).

- The Equipment Fund—for office equipment, furniture and fixtures, and leasehold improvement acquisitions.

The Restricted Fund balance represents funds advanced to the Center for projects in process, in excess of expenses incurred on the projects. At the close of a project in the Restricted Fund, the balance (or deficit) is transferred to the Unrestricted Fund unless the project was financed by a grant agreement which stipulates that the unused funds are to be returned to the grantor.

**Depreciation and Amortization.** Depreciation and amortization on office equipment, furniture and fixtures, and leasehold improvements is provided on the straight-line basis primarily over seven years assuming a salvage value of ten percent (10%) of cost. Acquisition costs of such items are reported as expenses to the various grants and contracts under which the property is purchased and then transferred from the Restricted Fund to the Equipment Fund. The disposition of items acquired with federal grant funds is subject to LEAA regulations. Furniture, fixtures

and equipment acquired by subcontractors under the terms of the multi-program grants are recorded as subcontractor expenses.

**Reserve for Project Losses.** Upon review of all operating projects which were not completed at December 31, 1975, provision was made for operating expenses anticipated in excess of project revenues in the amount of \$10,000. During 1975 the Center experienced project overruns totaling \$121,322 of which \$16,638 was attributable to national scope projects and \$104,684 was attributable to state and local projects conducted in the regional offices.

**Pension Plan.** The Center has a qualified noncontributory pension plan which covers all regular full-time staff members. The plan is a money-purchase, defined contribution plan under which contributions are held in individual accounts for each participant and, accordingly, there are no unfunded, vested benefits. Forfeitures of pension rights due to termination prior to vesting are applied to reduce pension expense in the year in which forfeitures occur. Pension expense for the year ended December 31, 1975 was \$73,500.

**2. Building Fund**

Since 1973 the Center has been receiving contributions to be used in planning, constructing and equipping a new headquarters building in Williamsburg, Virginia. Prior to 1975 architectural and engineering fees of \$67,631 were recorded as expenses with corresponding decreases in the fund balance. Recognizing the capital nature of such transactions, this amount has been restated as construction in progress and an increase in the beginning fund balance.

**3. Commitments and Contingencies**

The Center currently leases office space for headquarters and regional offices under various noncancellable lease agreements. The annual office space rentals under existing noncancellable lease agreements are as follows:

1976.....	\$138,000
1977.....	118,000
1978.....	88,000
1979.....	66,000
1980.....	3,000

In connection with the construction of the permanent headquarters building on the campus of the College of William and Mary in Williamsburg, Virginia, the Center has entered into a lease agreement for approximately ten acres of ground at an annual rental of \$1.00 beginning September 1, 1974 and extending for an original term of fifty years.

Expenditures charged to grants and contracts are generally subject to audit and final acceptance by the grantor or contracting agency. The Center's management believes that disallowed expenses, if any, arising from such audits would not be substantial.

Under the terms of several grants which are financed with discretionary funds from the Law Enforcement Assistance Administration, the Center must provide cash match for approximately

ten percent (10%) of allowable program expenditures. During 1975 cash match applied to these grants totaled approximately \$143,000. During 1976 this obligation will be approximately \$200,000. This obligation is expected to be met from the fund-raising campaign initiated by management and from the state charge program.

**4. Tax-Exempt Status**

The Center has received notice from the Internal Revenue Service of exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code and that the Center is an organization of the type described in section 170(b)(1)(A)vi of the Code. Accordingly, the Center is not subject to income taxes, and contributions to the Center are deductible by the donor.

HASKINS & SELLS  
CERTIFIED PUBLIC ACCOUNTANTS

633 SEVENTEENTH STREET  
DENVER, COLORADO 80202


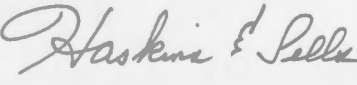
AUDITORS' OPINION

Board of Directors,  
National Center for State Courts:

We have examined the balance sheet of the National Center for State Courts as of December 31, 1975 and the related statement of revenues, expenses, and changes in fund balance, and schedule of functional expenses for the year then ended. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the accompanying financial statements and schedule present fairly the financial position of the National Center for State Courts as of December 31, 1975 and the results of its operations and changes in its fund balance for the year then ended, in conformity with generally accepted accounting principles applied on a consistent basis.

March 8, 1976





Council of State Court Representatives

The Council of State Court Representatives elects the Board of Directors of the National Center for State Courts, acts as a national forum for the state judiciary, and facilitates liaison between the state judicial systems and the National Center. It is composed of one member from each state as well as from the District of Columbia, Guam, Puerto Rico and the Virgin Islands. The members of the Council are chosen by the supreme court or other judicial entity with statewide rule-making authority within individual states. Thus, through the Council, ultimate control of the National Center resides in the state court systems it is designed to serve.

- Temporary Chairman:  
Honorable John W. King
- Alabama:** Honorable Howell T. Heflin  
Chief Justice, Alabama Supreme Court
- Alaska:** Honorable Robert Boochever  
Chief Justice, Alaska Supreme Court
- Arizona:**  
Honorable Fred C. Struckmeyer, Jr.  
Vice Chief Justice  
Arizona Supreme Court
- Arkansas:** C. R. Huie  
Executive Secretary, Judicial Department  
Arkansas Supreme Court
- California:** Honorable Donald R. Wright  
Chief Justice, California Supreme Court
- Colorado:** Harry O. Lawson  
Court Administrator  
Judicial Department
- Connecticut:** Honorable John P. Cotter  
Justice, Chief Court Administrator  
Connecticut Supreme Court
- Delaware:**  
Honorable Daniel L. Herrmann  
Chief Justice, Delaware Supreme Court
- Florida:** To be selected
- Georgia:** Honorable Julian Webb  
Judge, Georgia Court of Appeals
- Hawaii:** Tom T. Okuda  
Director, Administrative Services  
of the District Courts
- Idaho:** Honorable Charles R. Donaldson  
Justice, Idaho Supreme Court
- Illinois:**  
Honorable Joseph H. Goldenhersh  
Justice, Illinois Supreme Court
- Indiana:** Honorable Richard M. Givan  
Chief Justice, Indiana Supreme Court
- Iowa:** Honorable W. W. Reynoldson  
Justice, Iowa Supreme Court
- Kansas:** Honorable David Prager  
Justice, Kansas Supreme Court
- Kentucky:** Honorable James S. Chenault  
Judge, 25th Judicial District, Richmond
- Louisiana:**  
Honorable Walter F. Marcus, Jr.  
Associate Justice  
Louisiana Supreme Court
- Maine:** Elizabeth D. Belshaw  
State Court Administrator  
Maine Supreme Judicial Court

- 22
- Maryland:** William H. Adkins II  
Director  
Administrative Office of the Courts
- Massachusetts:**  
Honorable Walter H. McLaughlin  
Chief Justice  
Superior Court of Massachusetts
- Michigan:** To be selected
- Minnesota:** Richard E. Klein  
State Court Administrator  
Minnesota Supreme Court
- Mississippi:** Honorable R. P. Sugg  
Associate Justice  
Mississippi Supreme Court
- Missouri:** Honorable J. P. Morgan  
Judge, Missouri Supreme Court
- Montana:** Honorable Wesley Castles  
Justice, Montana Supreme Court
- Nebraska:** Honorable Paul W. White  
Chief Justice, Nebraska Supreme Court
- Nevada:** Honorable Howard W. Babcock  
Judge of the District Court, Las Vegas
- New Hampshire:**  
Honorable John W. King  
Justice, Superior Court of New Hampshire
- New Jersey:**  
Honorable Richard J. Hughes  
Chief Justice, New Jersey Supreme Court
- New Mexico:**  
Honorable John B. McManus, Jr.  
Chief Justice  
New Mexico Supreme Court
- New York:** Honorable Richard J. Bartlett  
State Administrative Judge
- North Carolina:** Bert M. Montague  
Director  
Administrative Office of the Courts
- North Dakota:**  
Honorable William L. Paulson  
Associate Justice  
North Dakota Supreme Court
- Ohio:** Honorable C. William O'Neill  
Chief Justice, Ohio Supreme Court
- Oklahoma:** Honorable William A. Berry  
Justice, Oklahoma Supreme Court
- Oregon:** Loren D. Hicks  
State Court Administrator  
Oregon Supreme Court
- Pennsylvania:**  
Honorable Samuel J. Roberts  
Justice, Pennsylvania Supreme Court

- Rhode Island:** Walter J. Kane  
Court Administrator  
Rhode Island Supreme Court
- South Carolina:**  
Honorable J. Woodrow Lewis  
Chief Justice  
South Carolina Supreme Court
- South Dakota:**  
Honorable Fred R. Winans  
Associate Justice  
South Dakota Supreme Court
- Tennessee:**  
Honorable Brooks McLemore, Jr.  
Acting Executive Secretary  
Tennessee Supreme Court
- Texas:** Honorable Thomas M. Reavley  
Justice, Texas Supreme Court
- Utah:** Allan E. Mecham  
Administrator and Clerk  
Utah Supreme Court
- Vermont:** Lawrence J. Turgeon  
Court Administrator  
Vermont Supreme Court
- Virginia:**  
Honorable Albertis S. Harrison, Jr.  
Justice, Virginia Supreme Court
- Washington:**  
Honorable Orris L. Hamilton  
Justice, Washington Supreme Court
- West Virginia:** To be selected
- Wisconsin:**  
Honorable Horace W. Wilkie  
Chief Justice, Wisconsin Supreme Court
- Wyoming:**  
Honorable Rodney M. Guthrie  
Chief Justice, Wyoming Supreme Court
- District of Columbia:**  
Honorable Gerard D. Reilly  
Chief Judge  
District of Columbia Court of Appeals
- Guam:** Honorable Joaquin C. Perez  
Chief Judge, Island Court of Guam
- Puerto Rico:**  
Honorable Jose Trias Monge  
Chief Justice  
Puerto Rico Supreme Court
- Virgin Islands:** Honorable Cyril Michael  
Presiding Judge  
Municipal Court of the Virgin Islands

Advisory Council

The Advisory Council of the National Center for State Courts is composed of representatives of the boards of directors of the 20 major judicial and judicially related institutions cooperating with the National Center in court improvement efforts. Close liaison between the Advisory Council and the National Center minimizes duplication of effort and facilitates optimal use of the scarce resources available to improve the courts. The Advisory Council's chairman regularly attends meetings of the National Center's Board of Directors.

- Chairman: Professor Maurice Rosenberg  
Vice Chairman: John S. Clark, Esquire
- American Academy of Judicial Education**  
Honorable Albert W. Barney, Jr.  
Chief Justice, Vermont Supreme Court
- American Bar Association**  
Honorable William H. Erickson  
Associate Justice  
Colorado Supreme Court
- American Bar Association—  
Division of Judicial Administration**  
Honorable William A. Grimes  
Justice, New Hampshire Supreme Court
- American Judges Association**  
Honorable David L. Golden (retired)
- American Judicature Society**  
John S. Clark, Esquire
- Appellate Judges' Conference**  
Honorable T. John Lesinski  
Chief Judge, Michigan Court of Appeals
- Association of American Law Schools**  
Professor Maurice Rosenberg  
School of Law, Columbia University
- Conference of Chief Justices**  
Honorable Lawrence W. I'Anson  
Chief Justice, Virginia Supreme Court

- 23
- Conference of State Court Administrators**  
Richard E. Klein  
State Court Administrator  
Minnesota Supreme Court
- Institute for Court Management**  
John J. Corson
- Institute of Judicial Administration**  
Lyman Tondel, Jr., Esquire
- National Association for Court Administration**  
John Petersen  
Executive Secretary
- National Association of Trial Court Administrators**  
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Superior Court Administrator  
King County, Washington
- National College of Probate Judges**  
Honorable William W. Treat  
Judge, Probate Court  
Hampton, New Hampshire
- National College of the State Judiciary**  
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- National Conference of Metropolitan Courts**  
Honorable Lewis Dickson  
Judge, 125th District Court  
Houston, Texas
- National Conference of  
Special Court Judges**  
Honorable Robert Beresford  
Judge of the Municipal Court  
San Jose, California
- National Conference of State Trial Judges**  
Honorable Charles G. Douglas III  
Judge, Superior Court of New Hampshire  
Concord, New Hampshire
- National Council of Juvenile Court Judges**  
Honorable Edward V. Healey, Jr.  
Associate Justice  
Family Court of Rhode Island  
Providence, Rhode Island
- National Council on Crime and Delinquency**  
Honorable Orman W. Ketcham  
Judge, Superior Court of  
the District of Columbia

Council of State Court Representatives and Advisory Council listings are effective March 10, 1976.

# Business and Professional Friends Committee

Formally organized in 1975, the Business and Professional Friends Committee of the National Center is dedicated to developing greater leadership awareness of state court problems and progress and to serving as a means for rendering advisory services and financial support to the cause of judicial improvement. As a result of the efforts of the twenty-eight leading businessmen and lawyers who now make up the Committee, a total of nearly \$200,000 in general support funds for the National Center was contributed to the date of this report by more than ninety donors, the greatest number of which are corporations.

## Committee Members

Chairman: George A. Stinson  
National Steel Corporation

Benjamin F. Biaggini  
Southern Pacific Company

James H. Binger  
Honeywell Inc.

Roger M. Blough, Esq., New York

Harllee Branch, Jr.  
The Southern Company

Donald C. Burnham  
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American Telephone & Telegraph Co.

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Aluminum Company of America

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Gilbert W. Humphrey  
The Hanna Mining Company

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Sears, Roebuck and Co.

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American-Standard

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Bethlehem Steel Corporation  
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Continental Can Company

Continental Oil Company  
Dayton Hudson Foundation

Deere & Company  
Deering Milliken Foundation

E. I. du Pont de Nemours & Company  
Eaton Charitable Fund

Exxon Corporation  
Federated Department Stores, Inc.

First Bank System, Inc.  
Ford Motor Company Fund

General Electric Company  
General Mills Foundation

General Motors Corporation  
General Tel. & Electronics Foundation

Gulf Oil Foundation of Delaware  
The Hanna Mining Company

Hercules, Inc.  
Hoerner Waldorf Corporation

Honeywell Fund  
Household Finance Corporation

IBM  
Kimberly-Clark Foundation, Inc.

Kraftco Corporation  
The LTV Corporation

Leon Falk Family Trust  
Lucky Stores, Inc.

Lukens Steel Foundation  
Cyril Magnin

Manufacturers Hanover Trust Company  
Material Service Foundation

Metropolitan Life Insurance Company  
Monsanto Fund

National Bank of Detroit  
National Steel Corporation

Northwest Bancorporation  
PPG Industries Foundation

Pepsico Foundation Inc.  
Phillips Petroleum Foundation, Inc.

Procter & Gamble Fund  
Sears, Roebuck and Co.

Southern Pacific Company  
Standard Oil of California

Stauffer Chemical Company  
TRW Foundation

Textron Inc.  
Union Carbide Corporation

Utah International Inc.  
West Publishing Company

Westinghouse Electric Corporation  
Weyerhaeuser Company Foundation

Whirlpool Foundation

# Offices of the National Center for State Courts

The Headquarters Office of the National Center, scheduled to move from Denver, Colorado, to Williamsburg, Virginia, conducts studies and demonstrations of nationwide significance or which are multi-state in nature. It also administers the National Center and supports the field work of the regional offices, providing a pool of skilled professionals upon which the regional offices can draw to supplement their own staff resources. The six regional offices, further strengthened in 1975, are readily available to the courts in their areas. During the year, the Mid-Atlantic Regional Office moved from Washington, D.C., to Williamsburg, Virginia, and the South Central Regional Office, which had been temporarily located in Denver, moved to new quarters in the University of Oklahoma Law Center in Norman. The Washington Liaison Office maintains contact with the Congress, federal agencies and other appropriate groups.

Headquarters Office  
Suite 200  
1660 Lincoln Street  
Denver, Colorado 80203  
(303) 892-1261

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Deputy Director:  
Arne L. Schoeller

Associate Director for Administration:  
William J. Conner

Associate Director for Programs:  
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Controller:  
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Director of Publications:  
Robert H. Weber

Director of Information Services:  
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Northeastern Regional Office, serving:  
Connecticut, Delaware, Maine,  
Massachusetts, New Hampshire,  
New Jersey, New York, Pennsylvania,  
Rhode Island, Vermont.  
401 Commonwealth Avenue  
Boston, Massachusetts 02215  
(617) 247-2102  
Director: Samuel D. Conti

Mid-Atlantic Regional Office, serving:  
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Puerto Rico, Virginia, Virgin Islands.  
P.O.Box F G  
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(804) 229-7193  
Director: Alexander B. Aikman

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Mississippi, North Carolina,  
South Carolina, Tennessee, West Virginia.  
1600 Tullie Circle, N.E., Suite 119  
Atlanta, Georgia 30329  
(404) 634-3366  
Director: Charles D. Cole

North Central Regional Office, serving:  
Illinois, Indiana, Iowa, Michigan,  
Minnesota, Montana, Nebraska,  
North Dakota, Ohio, South Dakota,  
Wisconsin, Wyoming.  
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Acting Director: Mark Geddes

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Arkansas, Colorado, Kansas, Louisiana,  
Missouri, New Mexico, Oklahoma, Texas.  
University of Oklahoma Law Center  
630 Parrington Oval  
Norman, Oklahoma 73069  
(405) 364-8975  
Director: Grant Davis

Western Regional Office, serving:  
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Nevada, Oregon, Utah, Washington.  
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Director: Larry L. Sipes

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(202) 833-3270  
Deputy Director of the National Center:  
Arne L. Schoeller  
Washington Liaison: Harry W. Swegle





MEMORANDUM

THE WHITE HOUSE

WASHINGTON

May 10, 1976

MEMORANDUM FOR: Jim Cannon

FROM: Dick Parsons *D.*

SUBJECT: Philip W. Buchen Memo of 5-10-76  
re: Public and Congressional Reaction  
to the Federal Election Campaign  
Act Amendments of 1976

You requested my comments on the subject memorandum.

I have no problem with the memorandum, per se. I have reviewed the draft signing statement and have made some suggestions for shortening it substantially.

I have reviewed the draft veto statement but have made no editorial comments since that statement is, according to Phil's memorandum, being revised.

*P.S. I have already recommended approval of the bill.*

*D.*



Date: May 10, 1976

Time:

## FOR ACTION:

cc (for information):

Jim Cannon

Tim Austin

Max Friedersdorf

Mike duVal

Jim Lynn

Dave Gergen

Jack Marsh

Jerry Jones

FROM THE STAFF SECRETARY

Bob Hartmann

DUE: Date: Monday, May 10, 1976

Time: COB

## SUBJECT:

Philip W. Buchen memo 5/10/76 re  
Public and Congressional Reaction  
to the Federal Election Campaign Act  
Amendments of 1976

## ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

## REMARKS:

Your comments are needed by close of business today  
as this package will be sent into the President  
tomorrow morning. Thank you

*Jim Cannon*  
*I recommend the President sign the bill.*  
*Jim Cannon*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate  
delay in submitting the required material, please  
telephone the Staff Secretary immediately.

Jim Connor  
For the President





THE WHITE HOUSE

WASHINGTON

May 10, 1976

MEMORANDUM FOR: THE PRESIDENT

FROM: PHILIP W. BUCHEN *P.*

SUBJECT: Public and Congressional Reaction  
to the Federal Election Campaign  
Act Amendments of 1976.

A solicitation was made by the U. S. Chamber of Commerce to its members which urged them to oppose your signing the above bill and to register their opposition by communicating with you. The solicitation was impassioned and, in my opinion, it misrepresented or overstated the effects on business of the Amendments enacted by Congress.

Attached at Tab A is a summary of the business firms which have registered opposition to your signing of the bill. I have my doubts that people who sent communications in opposition to the bill fully understand all aspects of the legislation or appreciate the consequences of your attempting to get better legislation out of Congress at this time.

Because of the campaign by the U. S. Chamber of Commerce to arouse opposition, it is not surprising that we lack communication in support of your signing. However, Jack Mills called to indicate that he and his trade association think you should sign the bill. The same is true of Bob Clark of Sante Fe Railroad, John Tope of Republic Steel and Rod Markley of Ford Motor Company.

Attached at Tab B is a summary of opinions expressed by Members of Congress who wrote to you in regard to the bill.

Attached at Tab C is a draft signing statement. Attached at Tab D is a draft veto statement which is now being revised.

Attachments



BUSINESS REACTION

VETO

Joseph B. McGrath  
Forest Product Political Committee

J. W. Heiney  
Indiana Gas Company Inc.

David E. Brown  
Kemper Insurance and Financial Co.

Ian Macgregor  
Amax Inc.

Richard Peake  
Government & Public Affairs  
PPG Industries, Inc.

E. F. Andrews  
Allegheny Ludlum Industries, Inc.

Lyle Littlefield  
Gerber Products Company

John Harper  
Alcoa

Michael D. Dingman  
Wheelabrator-Frye Incorporated

David Packard  
Hewlett-Packard Company

Paul E. Thornbrugh  
MAPCO, Inc.

Robert A. Roland  
National Paint & Coatings Assoc.

John L. Spafford  
Associated Credit Bureaus

William R. Roesch  
Kaiser Steel Corporation



VETO - Continued

James MacLaggan  
Ampact

C. Boyd Stockmeyer  
The Detroit Bank and  
Trust Company

O. H. Delchamps  
Delchamps, Inc.

E. J. Schaefer  
Franklin Electric Co, Inc.

Russell H. Perry  
Republic Financial Services, Inc.

Charles S. Mack  
CPC International, Inc.

Vestal Lemmon  
NAII

Samuel J. Damiano  
Chamber of Commerce

Donald M. Kendall  
PEPSICO

Robert F. Magill  
General Motors Corporation

James A. Brooks  
The Budd Company

Robert Ellis  
Chamber of Commerce

Richard L. Leshner  
Chamber of Commerce

Roger J. Stroh  
United Fresh Fruit and Vegetable  
Assn.



VETO - Continued

•James W. McLamore  
National Restaurant Association

C. David Gordon  
Association of Washington  
Business

Raymond R. Becker  
Interlake, Inc.

Bernard J. Burns  
National Agents Political  
Action Committee

Rodney W. Rood  
Atlantic Richfield Company

Arthur F. Blum  
Independent Insurance Agents-  
of America

John Pannullo  
National Utility Contractors Assn.

Harry Roberts  
True Drilling Co.

Michael R. Moore  
Texas Retail Federation

Moody Covey  
Skelly Political Action Committee

J. Kevin Murphy  
Purolator Services, Inc.

Harold J. Steele  
First Security Bank of Utah

Edwin J. Spiegel, Jr.  
Alton Box Board Company

Frank K. Woolley  
Association of American  
Physicians and Surgeons

Jack W. Belshaw  
Wellman Industries Good  
Government Fund



VETO - Continued

Robert P. Nixon  
Franklin Electric

Arch L. Madsen  
Bonneville International Corp.

Ellwood F. Curtis  
Deere and Company

William E. Hardman  
National Tool, Die and Precision  
Machining Assn.

J. D. Stewart  
DEPAC

Carl F. Hawver  
National Consumer Finance Assoc.

Thomas P. Mason  
Comsumer Bankers Assoc.

R. R. Frost  
Piggly Wiggly Southern, Inc.

Paul J. Kelley  
U-HAUL

Neil W. Plath  
Sierra Pacific Power Company

Michael R. Moore  
Texas Retail Federation

Malcolm E. Harris  
Distilled Spirits Council of the U.S.

Lawrence L. Burian  
National Air Transportation  
Associations

Walter D. Thomas  
FMC Corporation

Gerald W. Vaughan  
Union Camp Corporation





James A. Gray  
National Machine Tool  
Builders Association

Donald V. Seibert  
J. C. Penney Company, Inc.

Cosmo F. Guido  
National Lumber and Building  
Material Dealers Assoc.

R. W. Strauss  
Stewart-Warner Corporation

Robert S. Boynton  
National Lime Association



CONGRESSIONAL

SIGN

Speaker Carl Albert

Congressman Bill Frenzel

Congressman Walter Mondale

Senator Robert Taft

VETO

Congressman Jake Garn



## DRAFT SIGNING STATEMENT

On October 15, 1974, I signed into law the Federal Election Campaign Act Amendments of 1974 which made far-reaching changes in the laws affecting federal elections and election campaign practices. This law created a Federal Election Commission to administer and enforce a comprehensive regulatory scheme for federal campaigns.

On January 30, 1976, the United States Supreme Court ruled that certain features of the 1974 law were unconstitutional and, in particular, declared that the FEC could not constitutionally exercise enforcement and other executive powers unless the manner of appointing the Members of the Commission was changed.

Today, I am signing into law the Federal Election Campaign Act Amendments of 1976. These Amendments will duly reconstitute the Commission so that the President shall appoint all six of its Members, by and with the advice and consent of the Senate.

[The failure of the Congress to reconstitute the Commission earlier and the resulting deprivation of essential Federal matching fund monies has so substantially



impacted on seven of the candidates seeking nomination for the Presidency by their respective parties that they felt impelled to seek relief on two occasions from the Supreme Court. The Court determined that it was not in a position to provide that relief.

Further delay in reconstituting the Commission would have an even more egregious and unconscionable impact on these candidates and on the conduct of their campaigns. As President, I cannot allow the outcome of the primary elections to be influenced by the failure of candidates to have the benefits and protections of laws enacted before the campaigns and on which they have relied in seeking their respective nominations.

Also, further delay would undermine the fairness of elections this year to the U. S. Senate and the House of Representatives, as well as to the Office of President, because effective regulation of campaign practices depends on having a Commission with valid rulemaking and enforcement powers. It is most important to maintain the integrity of our election process for all Federal offices so that all candidates



and their respective supporters and contributors are made to feel bound by enforceable laws and regulations which are designed to overcome questionable and unfair campaign practices. ]

The amendments have received bi-partisan support in both Houses of Congress and by the Chairpersons of both the Republican National Committee and the Democratic National Committee. This support provides assurance that persons strongly interested in the future of both major political parties find the law favors neither party over the other.

Accordingly, in addition to approving this legislation, I am submitting to the Senate for its advice and consent, the nominations of the six current members of the Commission as members of the new Commission. I trust that the Senate will act with dispatch to confirm these appointees, all of whom were previously approved by the Senate, as well as the House, under the law as it previously existed. ✓

Notwithstanding my readiness to take these steps, I do have serious reservations about certain aspects of the present amendments. Instead of acting promptly to adopt the provisions which I urged -- simply to



reconstitute the Commission in a constitutional manner -- the Congress has proceeded to amend previous campaign laws in a confusing variety of ways.

The result is that the Commission must take additional time to consider the effects of the present amendments on its previously issued opinions and regulations. The amendments lack clarity in many respects and thus may lead to further litigation. Those provisions which purport to restrict communications and solicitations for campaign purposes by unions, corporations, trade associations and their respective political action communities are of doubtful constitutionality and will surely give rise to litigation. Also, the Election Campaign Act, as amended, seriously limits the independence of the Federal Election Commission from Congressional influence and control.

[ In one important respect, the present limitations depart substantially from the accepted goal of making the new Commission, which will have considerable discretionary authority over the interpretation and application of Federal election campaign laws, independent from the control of incumbents in the



exercise of that discretion. Specifically, it would permit either House of Congress to veto regulations which the Commission issues.

On numerous occasions, Presidents have stated that provisions of this sort, allowing the Congress to veto regulations of an executive agency, are an unconstitutional violation of the doctrine of separation of powers. I have discussed this matter with the Attorney General, and it is our hope that clear judicial resolution of the constitutional point can soon be obtained. In the meantime, I hope and expect that the Commission will exercise its discretion with the degree of independence which the original proponents of this legislation and, I believe, the public expect and desire.

I look to the Commission, as soon as it is reappointed, to do an effective job of administering the campaign laws equitably but forcefully and in a manner that minimizes the confusion which is caused by their added complexity. In this regard, the Commission will be aided by a newly provided comprehensive and flexible civil enforcement mechanism designed to facilitate voluntary compliance through conciliation agreements and to penalize non-compliance through



means of civil fines.

In addition, the new legislation refines the provisions intended to control the size of contributions from a single source by avoiding proliferation of political action committees which are under common control, and it strengthens provisions for reporting money spent on campaigns by requiring disclosure of previously unreported costs of partisan communications intended to affect the outcome of Federal elections. ]

I would have much preferred postponing consideration of needed improvements to the Federal Election Campaign laws until after the experience of the 1976 elections could be studied. I still plan to recommend to the Congress in 1977 passage of legislation that will correct problems created by the present laws and will make additional needed reforms in the election process.

In the interim, however, I look to the Commission to do an effective job of administering the campaign laws equitably but forcefully.





Statement By the President

Almost three months ago, the United States Supreme Court ruled that certain provisions of the Federal Election Campaign Laws were unconstitutional, and, in particular, declared that the FEC could not constitutionally exercise enforcement and other executive powers unless the manner of appointing the Members of the Commission were changed. At the same time, the Court made it clear that the Congress could remedy this problem by simply reconstituting the Commission and providing for Presidential appointment of the Members of the Federal Election Commission.

Although I fully recognized that other aspects of the Court's decision, as well as the original election law itself, mandate a critical and comprehensive review of the campaign laws, I realized that there would not be sufficient time for such a review to be completed during the time allotted by the Court which would result in any meaningful reform. Moreover, I recognized the obvious danger that various opponents of campaign reform and other interests -- both political and otherwise -- would exploit the pressures of an election year to seek a number of piecemeal, ad hoc



and hastily considered changes in the election laws. In accordance with the Court's decision, I submitted remedial legislation to Congress for immediate action which would simply and immediately have reconstituted the Commission for this election, while at the same time, ensuring full scale review and reform of the election law next year with the added benefit of the experience to be gained by this election. The actions of the Congress in ignoring my repeated requests for immediate action and instead enacting a bill which would fundamentally destroy the independence of the Commission, have confirmed my worst fears.

The most important aspect of any revision of the election laws is to insure the independence of the Federal Election Commission. This bill provides for a one-house, section-by-section veto of Commission regulations -- a requirement that is unconstitutional as applied to regulations to be proposed and enforced by an independent regulatory agency. Such a permanent restriction would have a crippling influence on the freedom of action of the Commission and would only invite further litigation.



Moreover, the bill would also introduce certain new provisions into the election law which may be of doubtful constitutional validity, would inadvertently affect other federal legislation, and would at the same time change many of the rules applicable to the current election campaigns of all federal candidates. In the meantime, campaigns which were started in reliance on the funding and regulatory provisions of the existing law all are suffering from lack of funds and lack of certainty over the rules to be followed this year. The complex and extensive changes of this bill will only create additional confusion and litigation and inhibit further meaningful reform. Even those changes which I would consider desirable and an improvement over existing law would be best considered from the perspective of a non-election year with full and adequate hearings on the merits and impact of these revisions.

Accordingly, I am returning Senate bill 5065 to the Congress without my approval and again ask the Congress to pass the simple extension of the life of the Commission. The American people want an



independent and effective Commission. All candidates must have certainty in the election law and all Presidential candidates need the federal matching funds which have been unduly held up by those who would exploit the Court's decision for their own self-interest. At this late stage in the 1976 elections, it is critical that the candidates be allowed to campaign under the current law with the supervision of the Commission in a fair and equitable manner absent the disruptive influence of hastily enacted changes.





THE WHITE HOUSE

WASHINGTON

May 20, 1976

MEMORANDUM BY PHONE TO: JIM CANNON

FROM: JIM FIELD

SUBJECT: Chairmanship for Equal Employment  
Opportunity Commission

- MC answered by phone*
1. Ersa Poston. Republican from New York; 55; member of New York State Civil Service Commission presently in her second term; formerly served as President of that body to Governor Rockefeller; former director of New York State Office of Economic Opportunity; served as trustee of Urban League and has a Board member of NAACP. Organized labor, black organizations and women's groups would react positively to her nomination. Vice President strongly endorses her.
  2. Samuel C. Jackson. Republican from D.C.; 47 years old; member of D.C. law firm of Stroock, Stroock & Lavan; formerly served as General Assistant Secretary of HUD with responsibilities for development and implementation of Department policies relating to housing programs. Before joining HUD, he was Vice President of the American Arbitration Association and Director of its National Center for Dispute Settlement. He was one of five original commissioners on EEOC appointed by President Johnson in 1965. He served in legal positions in NAACP. He would receive strong endorsement from black organizations and other EEOC related constituencies.
  3. Howard Jenkins, Jr. Republican from D.C.; 61 years old; has served as member of National Labor Relations Board since 1963. He has written extensively on labor law and was a major force in implementation of management tracking systems at the NLRB which has been successful in eliminating case back logs. His reputation and Hill support would probably assure an easy confirmation.

2787  
PLEASE RESPOND TO JIM FIELD AS SOON AS POSSIBLE TODAY - 2821



THE WHITE HOUSE  
WASHINGTON

June 16, 1976

TO: PHIL BUCHEN  
FROM: JIM CANNON

For handling.



BELLA S. ABZUG, N.Y., CHAIRWOMAN  
LEO J. RYAN, CALIF.  
JOHN CONYERS, JR., MICH.  
TORBERT H. MACDONALD, MASS.  
JOHN E. MOSS, CALIF.  
MICHAEL HARRINGTON, MASS.  
ANDREW MAGUIRE, N.J.  
ANTHONY MOFFETT, CONN.

SAM STEIGER, ARIZ.  
CLARENCE J. BROWN, OHIO  
PAUL N. McCLOSKEY, JR., CALIF.  
225-3741

NINETY-FOURTH CONGRESS

**Congress of the United States**  
**House of Representatives**

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS  
SUBCOMMITTEE

OF THE

COMMITTEE ON GOVERNMENT OPERATIONS

RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C

WASHINGTON, D.C. 20515

June 10, 1976

Mr. James M. Cannon.  
Director, Domestic Council  
1600 Pennsylvania Avenue, Northwest  
Washington, D.C. 20500

Dear Mr. Cannon:

This Subcommittee has oversight and legislative jurisdiction of records maintenance policies of federal agencies. In this connection, we are writing to inquire into the policies of your department or agency concerning records disposal, particularly methods and procedures for transferring files and records to the National Archives. We would appreciate it if you would supply the subcommittee with a copy of your latest agreement with the National Archives regarding transfer of papers and a schedule of the content of the most recent transfer. Please also supply the date of the most recent transfer.

We also would like to know your policy on the removal of papers by the Secretary, agency head or other Presidential appointees upon expiration of their terms. If your policy allows for the removal of "personal" papers, please set forth the method, if any, whereby, a determination is made between "personal" and official papers.

Also, what restrictions, if any, are imposed on the removal by an agency official of copies of government documents or other information generated by that official? Are distinctions made between removal of such papers by Presidential appointees as opposed to agency civil servants?

In the last ten years, have there been any instances of administrative penalties imposed or prosecutions brought against any agency employee or official, or former employee or official, for the unauthorized taking or destruction of government records? If so, please supply details.

We would appreciate your early reply to this inquiry.

Sincerely,

*Bella S. Abzug*  
BELLA S. ABZUG  
Chairwoman

