



**DC
NATIONAL
LAWYERS
GUILD
NEWSLETTER
DECEMBER 2009**

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1. FOIA Workshop Held at Public Citizen

The DC Bill of Rights Coalition, of which DC NLG is a co-sponsor, held a FOIA Workshop on Weds., Nov. 4. Margaret Kwoka of Public Citizen (a DC NLG board member) presented an overview of the Freedom of Information Act, how to draft and follow-up on requests. She also discussed how to make effective appeals of the denial of information, and of such issues as fee waivers. Participants discussed their particular interest in using FOIA, either to obtain personal files, or to investigate issues such as spying on activists by police agencies (such as the recent case involving the Maryland State Police). FOIA information is available at FOIAClinic@citizen.org.

-Ann Wilcox

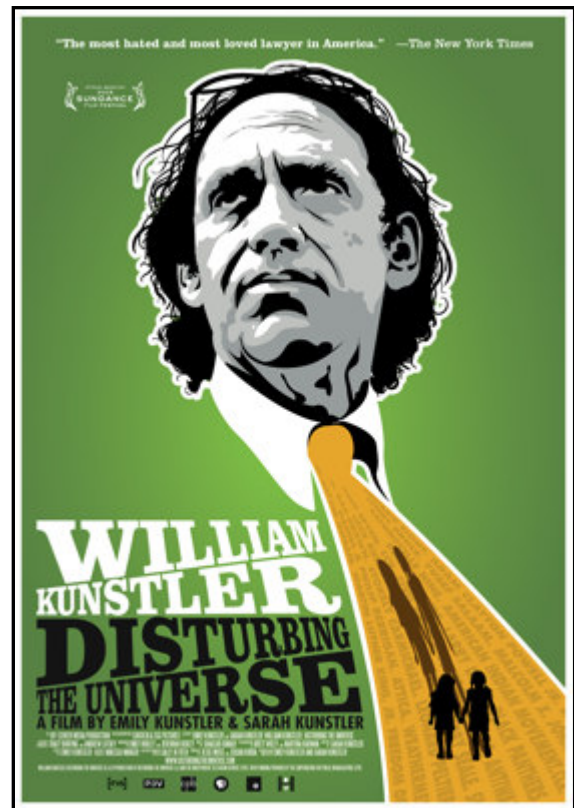
2. Movie Review - “William Kunstler: Disturbing the Universe”



(Rating: 3.5 out of 4 Fists)

In my experience, when presented with the word "lawyer" the first association is usually not the word "revolutionary." Maybe that's because, while lawyers for the most part represent their clients to the fullest extent of the law, there are few who actually challenge the legitimacy of that law in court, or the institutions which promulgate and enforce it. Which is why the new documentary William Kunstler: Disturbing the Universe is such a compelling story.

The story of William Kunstler is told through the unique perspective of his two daughters, Emily and Sarah, through home movies, documentary footage, and interviews with Tom Hayden, Lynne Stewart and Father Daniel Berrigan among others. They trace their father's transformation from liberal personal injury attorney in Westchester, New York, through his crucible of radicalization with the famous Chicago 8 trial stemming from the aftermath of the 1968 Democratic Convention. During the trial he helps pioneer the use of the courtroom to mount a defense not to get his clients acquitted, but to indict the legal and political structures around the arrests as inherently corrupt and incapable of dispensing true justice. As a witness to the binding and gagging of Bobby Seale in the courtroom, the murder by state police of Black Panther Fred Hampton, and later slaughter of prison inmates at Attica prison and the unconstitutional use of the military at Wounded Knee, Kunstler comes to regard all whites as racists, including himself.



Emily and Sarah's pride in and affection for their father's fearless stands against oppression is apparent throughout, and so is their fear for their safety and shame in their dad's apparent betrayal of principle when he starts representing defendants who have been accused of heinous, unspeakable acts. There are accused rapists, police murderers, mobsters, as well as Omar Abdel-Rahman, accused of the first World Trade Center Bombing. Did William Kunstler betray his ideals for ego and media fame? Trying to come up with a rational answer for his perplexing and controversial later life as a private criminal defense attorney isn't answered, but a clip of speech he gives to a crowd during the Chicago 8 trial may provide clues:

“And that’s the terrible myth of organized society, that everything that’s done through the established system is legal and that word has a powerful psychological impact. It makes people believe that there is an order to life, and an order to a system, and that a person

that goes through this order and is convicted, has gotten all that is due him. And therefore society can turn its conscience off, and look to other things and other times. And that's the terrible thing about these past trials, is that they have this aura of legitimacy, this aura of legality. I suspect that better men than the world has known and more of them, have gone to their deaths through a legal system than through all the illegalities in the history of man. Six million people in Europe during the Third Reich? Legal. Sacco Vanzetti? Quite legal. The Haymarket defendants? Legal. The hundreds of rape trials throughout the South where black men were condemned to death? All legal. Jesus? Legal. Socrates? Legal. And that is the kaleidoscopic nature of what we live through here and in other places. Because all tyrants learn that it is far better to do this thing through some semblance of legality than to do it without that pretense."

Disturbing the Universe is required viewing for all who think the words "revolutionary" and "lawyer" don't sound that odd in the same sentence.

-Reviewed by Scott Sommers. Disturbing the Universe showed at the E Street Cinema in DC for a short period of time in November, and is currently being shown in New York City and around the country. Go to <http://www.disturbingtheuniverse.com/Screenings.html> for more information.

3. Reportback from Defending Troy Davis Panel

On November 11, the DC Guild co-sponsored with the Campaign to End the Death Penalty a panel on defending Troy Davis. Troy has been on death row in Georgia since 1991, after he was convicted of the murder of a Georgia police officer. Troy has maintained his innocence since he was first accused. The evidence for his innocence is so compelling it has attracted activists from around the world to rally for his release.

Amongst his supporters are the fierce advocates Attorney Kathleen Behan and Attorney Thomas Ruffin, both of whom gave thoughtful presentations regarding Troy's case to those attending the Defending Troy Davis panel, held at UDC David A. Clarke School of Law.

Ms. Behan, while working for the Pro Bono Section at Arnold and Porter, was contacted by Troy's sister, Martina Correira, and convinced her firm to dedicate important resources to defend Troy. Now in solo practice, she coordinated the writing of an Amicus Brief that was submitted to the US Supreme Court on Troy's behalf this summer.



Photo of Troy Davis

Mr. Ruffin, who wrote a summary in the DC Guild's October 2009 Newsletter of the recent Supreme Court order to the Georgia District Court to give a hearing on Troy's innocence, has acted as a legal advisor to Troy and his family, as well as rallied for Troy from an activist and death penalty abolitionist standpoint.

One issue raised at the discussion was the role of activism in defending people who are on death row. It was acknowledged that Troy would not be alive today if so many people were not demanding his release. While as lawyers, legal workers, and

law students we may not all be able to lend direct legal support to death row inmates, we can use our voices as activists to raise

awareness about Troy's case. Another issue discussed was how challenging it will be for Troy to prove in his upcoming evidentiary hearing that there is enough proof of his innocence that he should have a new trial. Whether through a legal work or as activists, we must continue to fight for Troy and demand justice for an innocent man who is fighting for his life.

- *Rachael Moshman. For more information on Troy's case and how to get involved, visit <http://nodeathpenalty.org> and <http://www.troyanthonydavis.org>.*

4. Taking Submissions for DC NLG Directory of Lawyers and Legal Workers

The DC NLG will publish an updated directory of lawyers and legal workers for local members. The referral directory will be a useful resource for you as well as advertise to other members the areas of law in which you practice. Entry forms were recently mailed out to the membership, but if we missed you, go to www.dcnlg.org and look in the left announcement column for the section about the local directory. Click there to download the form, print, and mail to 2000 P St., NW, Ste. 415, Washington, DC, 20036 or simply email all the necessary information from the form to [rmoshman \[at\] hotmail.com](mailto:rmoshman@hotmail.com).

Your entry in the local directory is free, but the catch is your membership dues must be up to date. You can pay your dues at <http://nlg.org/membership/join.php>. Follow the links from that webpage to pay online or download a membership form. Build the Guild!

5. Events

There is no private practitioner lunch this month. See you in January!

December 11 – Film Shorts Holiday Party, fundraiser for DC Jobs with Justice, 1pm – 10:30pm at La Casa, 3166 Mt. Pleasant St., NW. Reception (drinks and desserts), film shorts, music and dancing. Suggested donation \$10-\$50.

December 12 – Anti-War Demonstration – “Stop the Obama-Pelosi-Reid Escalation of the Afghan War!” in Lafayette Park, 11am – 2pm.

December 13 – Annual Holiday Latke Party, 11am-1pm. If you did not receive your mailed invitation, please do contact Rachael at [rmoshman\[at\]hotmail.com](mailto:rmoshman@hotmail.com) for more information.

The People Speak, 8pm, The History Channel – the long awaited documentary film inspired by Howard Zinn's books *A People's History of the United States* and *Voices of a People's History of the United States* will air. More details at <http://www.history.com/peoplespeak>.

December 15 – Rally for Public Property – the Final Push! 10am, The Wilson Building, 1350 Pennsylvania Ave., NW. Tell the Council to Pass Bill 18-76; Rally at the Wilson Building then at 11am Pack the Hearing Room (room 500).

December 16 – Film Screening: “Inside the Revolution: A Journey Into the Heart of Venezuela,” 7-9pm at Letelier Theater, 3251 Prospect St., NW. Please RSVP by calling 202-293-5380, ext. 119, or send an email to kozameh [at] cepr.net

December 18 – Author Event: Dr. Richard Wilkinson and ‘The Spirit Level: Why Greater Equality Makes Societies Stronger.’ 6:30pm to 8pm, Busboys and Poets at 14th and V Streets, NW. The author will discuss the stunning new importance of Dr. Martin Luther King’s egalitarian vision.