

October 6, 1981

SPECIAL LITIGATION COUNSEL WEEKLY REPORT

A. Actions Taken in Past Week

Chicago, Illinois

On October 6, 1981, we filed our brief in opposition to the NAACP's renewed Motion to Intervene in the Chicago school desegregation case, United States v. Board of Education of the City of Chicago. We contend that the Motion is both unwarranted and premature. Specifically, we argue that the NAACP can accomplish what it seeks, input into the Board's final desegregation planning process, through the third-party procedures already established by the Court; that, since we have not accepted or rejected a desegregation plan (and cannot do so until the Board's completed plan is presented in December 1981), no need for NAACP intervention has been shown; that differences of opinion on issues of law or fact (in this instance, the phasing aspects of the Board's plan) do not mean that the United States is an inadequate representative of the interests the NAACP seeks to protect and that the NAACP has not demonstrated that the planning principles adopted by the Board will lead inevitably to an unconstitutional plan. (DJ 144-100-23-1) (Sandy Ross, 633-2303)