

October 13, 1981

SPECIAL LITIGATION COUNSEL WEEKLY REPORT

A. Actions Taken in Past Week

Chicago, Illinois

On October 13, 1981, in United States v. Board of Education of the City of Chicago, Judge Shadur denied the motion of five city Aldermen to intervene to set aside the Consent Decree. The ruling was based on timeliness (the motion having been filed almost a year after the Consent Decree was entered) and on a finding that the Aldermen had not shown the School Board to be an inadequate representative of the Aldermen's interests.

At a status conference held on October 9, 1981, Judge Shadur noted that the Chicago School Board had filed a motion asking the Court to "confirm" the right of the United States to take discovery against the State of Illinois (which is not a party to the suit) in furtherance of the state liability investigation the Consent Decree requires us to undertake. The Court "invited" the State to file a response by October 19 and asked the United States to decide by October 30 whether it will join in the motion. [The State has refused to make information about the dealings with the Chicago Board on school desegregation available to us, except in exchange for all documents relating to its dealings all federal agencies have had with the Chicago Board on this issue. The Chicago Board's position is somewhat awkward because it, too, has refused to provide us with any information that would shed light on the State's role in maintaining Chicago's segregated schools.]
DJ 144-100-23-1 (Sandy Ross, 622-2302)