

LAW OFFICE
OF
JAMES DEANDA

516 WILSON BUILDING
CORPUS CHRISTI, TEXAS 78403

P. O. BOX 1693

PHONE: AREA CODE 512
TU 4-4961

August 28, 1967

Mr. Louis P. Tellez,
National Chairman
American GI Forum
621 Gabaldon Road, Nw.
Albuquerque, New Mexico

Dear Louis:

This will acknowledge receipt of your letter dated August 24 with reference to the Legal Council. Before setting out what I believe can be accomplished through this group, it might be wise to relate some of the limitations and problems that we have.

To begin with, many of the problems that we are asked to resolve are "local" problems. That is, state statutes and city ordinances of the localities involved control, to some extent, the situation in question. An example of this is the New Mexico land crisis. Each state has vastly different land laws. An out-of-state lawyer is in deep and serious trouble trying to advise a New Mexico client on his land rights. Furthermore, a lawyer licensed in one state cannot practice law in another state without obtaining local counsel and court permission. This even applies in some federal courts, other than appellate courts. In short, because of differences in substantive law, radical departures in procedural matters, bar membership problems and other factors, a lawyer practicing in one state can be of only limited value in another state. The exception to this statement lies only in the cases controlled exclusively by federal statutes and federal procedure. This is the same everywhere. The substantive laws of each state are generally similar and the general rules of law apply but there are enough minor changes to create delicate situations. It is for the foregoing reasons that lawyers who have cases in other states, invariably associate local counsel or turn the entire file over to local counsel.

August 28, 1967

The committee which you have created could serve many useful purposes. First and foremost, it would set policy on cases in which the Forum is directly involved. It could assist in the briefing and preparation of lawsuits to be processed by lawyers practicing in the locality where the case is pending. It would give guidance and moral support to those lawyers. It would serve as an information gathering source for the Forum, keeping the membership apprised of developments in the civil rights, economic opportunity programs and employment rights.

In order to efficiently do any of these things, I believe it is imperative that the committee have available to it a list of all lawyers, their addresses and telephone numbers, who are Forum members, and making each of these lawyers an ex officio member of the committee. This would permit the committee to act as a referral agency when a situation arises requiring legal assistance in a particular area. An example of this need is shown by my letter to Mr. Villalobos, a copy of which you received. I did not have Mr. Perez' address. Incidentally, if you can give me some help in this regard, I would appreciate it.

I know the committee could also serve as a co-ordinating agency. To give you an example, I received a letter from a young lawyer who was appointed a briefing attorney for the Oregon Supreme Court. He has volunteered his services to help me with any briefing I may need in any civil rights case, free of charge.

Another item that the committee might devote some time to would be the obtaining of foundation funds for its function. I know that there is foundation money being poured into various "defense" groups and "civil rights" litigation funds. For example, there was a meeting in either Nevada or Colorado this summer to which several lawyers were invited (Latin lawyers), of which I was not one, which was, as I understand it, a civil rights seminar. Travel expenses were paid by some foundation, I think it would be extremely helpful if we could get some travel expense money for meetings, etc.

Mr. Louis P. Tellez

- 3 -

August 28, 1967

I apologize for this rambling type letter but I thought I ought to get something off to you while these matters were on my mind. If you have anything to add, please let me know.

The only pressing thing that I know of which requires immediate attention is the New Mexico problem. If a meeting with the lawyers who are "experts" in the field and who are familiar with the background and status of the case could be arranged, I could take some time to fly over and discuss the case with them rather thoroughly. Can the national office take care of my expenses?

Sincerely yours,

JAMES DE ANDA

JDA:st

cc: Dr. Hector P. Garcia
1315 Bright
Corpus Christi, Texas