

Lawyers Begin Drive Against Poverty

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CHICAGO, Nov. 19—A major effort to develop "new and imaginative" legal remedies to combat poverty was started here this weekend by the N.A.A.C.P. Legal Defense and Educational Fund, Inc.

"We are moving into an era of poverty law which in some sense is comparable to the civil rights law of the mid-1930's," Jack Greenberg, director-counsel of the fund, said.

Mr. Greenberg called on the 200 lawyers gathered at the University of Chicago Law School to benefit from the "best thinking" on the legal aspects of slum housing, welfare, consumer fraud, and the farm and migratory workers.

"Those of us who years ago were concerned solely with orthodox issues of civil rights," he said, "have little by little and for a time not fully realizing it been dealing more and more with questions of poverty and issues affecting all Americans."

New Techniques Sought

Virtually all of the lawyers here for the weekend conference on law and poverty are actively engaged in representing poor persons, either through federally funded organizations such as the Office of Economic Opportunity or through legal aid societies, or as private lawyers cooperating with the Legal Defense Fund.

Essentially, the purpose of the conference is to expose the lawyers to new thinking on old subjects, and to explore various novel legal techniques that might be used on behalf of the disadvantaged.

In the opening address yesterday on slum housing, Prof. Julian Levi of the University of Chicago, said:

"In essence our task is as ancient and honorable as the

legal profession—the fashioning of legal remedies to achieve human rights through the application of imagination scholarship."

For example, he said that class actions by slum tenants could succeed even in states where there was no legislation providing for this right. The class action, which is a lawsuit brought by a number of persons acting together, is "a descendant of the 17th century," Professor Levi said.

Similarly, he suggested, a tenant could force a landlord to rehabilitate an apartment on the basis of "the ancient doctrine of abatement of a nuisance."

A Charge to Lawyers

In most states, Professor Levi said, there is no effective legislation to require landlords to repair rundown apartments. But, he said, by the use of traditional legal doctrines, "fashioned with skill," the goal can be accomplished.

"The charge to lawyers in our generation," he concluded, is to throw open the doors of the courtroom where traditionally we have searched for truth and equity, so that rights long recognized can be effectuated."

Mr. Levi is professor of urban studies at Chicago.

This morning a welfare law expert, Edward V. Sparer, warned the lawyers that there was increasing resistance in the country to the "basic premise" that the indigent have a right to assistance.

Mr. Sparer, who is legal director of the Center of Social Welfare and Public Policy at Columbia University, noted that some welfare departments and courts had recently taken the position that persons might be denied aid even though they met the eligibility requirements of the law.

"It all started," he said, "in the Elizabethan days when there

were the deserving poor and the undeserving poor."

"As a practical reality," he continued, "we are still living with that today."

He pointed to states that deny aid to dependent children because the mother, whose husband has deserted her, is suspected of having sexual relations with another man.

Compilation of Cases

A 246-page book, prepared by the Legal Defense Fund, was distributed to all the lawyers here. The book, which will be expanded periodically, contains court decisions, legal essays and forms that lawyers can use in preparing cases. The subjects covered are consumer credit, slum housing, problems of farm and migratory workers, and welfare laws.

"If we could mobilize the people here," said Michael Meltzer, a lawyer for the legal defense fund, "there would be a tremendous exposure of the problems of the poor to the Appellate Court and to the people of the country."

He continued: "The trouble now is that there is not a general understanding as to how people live in slums, what happens to the migratory worker, the credit abuses that afflict ghetto people, and the way the poor are treated in the lower criminal courts."

Mr. Greenberg said that the conference here was "the first of its kind in the country" and that he hoped it could be set up on a national and regional basis in the future.

The Legal Defense Fund is not a part of the National Association for the Advancement of Colored People. It is an independent, nonprofit corporation with its own board, budget, and a staff of attorneys devoted to providing assistance in legal action.