

Statement in Opposition to the Proposed Amendment to Article 2.1(c) of the NLG Constitution
Redefining the Definition of “Legal Worker” (11/1/22)

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I oppose the latest proposed amendment to Article 2.1(c) of the NLG Constitution which seeks to redefine who qualifies for NLG membership as a “legal worker”. The proposal would add the words (in caps) in the following references to the definition of “legal worker” in Article 2.1(c): “who is training to work, FOR PAY OR AS A VOLUNTEER” and “a major component of THEIR PAID OR VOLUNTEER work”.

This proposed definition would allow anyone, on the basis of mere attendance at an NLG Legal Observer training, to become a voting member of the NLG. Actual legal observing would not be required. This could “expose the NLG to avoidable harm in the form of surveillance, infiltration, and disruption”. It would make much easier not only for police agents, provocateurs, and other reactionary political operatives to infiltrate the NLG in numbers, but for any group of activists with their own political agendas to redirect the work of the NLG.

I incorporate by reference and support the specific points made in the “Statement of Clarification and Opposition to the Proposed Constitutional Revision” submitted by the NLG-NYC Mass Defense Committee.

This should not be an issue of “volunteer vs. paid” legal worker, or whether “working” includes both paid and unpaid efforts, or only paid efforts. When I was the Mass Defense Coordinator during the 2004 RNC in New York I worked closely with the members of several law collectives, including the Midnight Special Law Collective from the Bay Area, all of whom were volunteers, many of whom were NLG legal worker members.

I believe the definition of “legal worker” should require evidence of a commitment to legal work, such as that done by members of the law collectives during the 2004 RNC. Such a requirement is already part of the definition for a jailhouse lawyer to be a Guild member.

Art. 2.1(d) of the NLG Constitution defines a Guild jailhouse lawyer as “any person who is regularly engaged in providing legal services to other prisoners”.

I propose further discussion on including a similar provision in the definition of a legal worker and further propose Guild chapters determine the meaning of “regularly engaged in providing legal services” for their respective members.