

National Executive Committee (NLG's national board) Pro Statement on the Resolution to Revoke the Delaware-New Jersey Chapter Charter and Amendments to Constitution Article 8

The National Executive Committee (NEC) serves as the board of the National Lawyers Guild and urges all members to vote in favor of the Resolution to Revoke the Delaware-New Jersey Chapter (DE-NJ) Charter and the proposed amendments to Constitution Article 8.1, 8.2, 8.3, 8.4, and 8.5. The resolution addresses potentially ongoing harms, and the amendments to Article 8 address our ability to respond to these kinds of harm in the future. During the plenary session, NLG members had an opportunity to learn more about the specific concerns of harm to incarcerated people and interns that led to these proposals.

We heard from NLG Secretary Nate Fox who expressed strong support for the resolution and urged members to vote in favor of it to protect others from harm. Nate shared that he is recovering psychologically from the terrible experience he had as an intern for the Prisoners Legal Advocacy Network (PLAN), which at the time was a DE-NJ project. He explained that, to his knowledge, only one part-time attorney supervised more than 30 legal interns, and he was uncomfortable with the scarcity of supervision. Nate said it appeared to him that leadership failed to prevent mistakes and blamed interns for them. He described witnessing leaders speak disparagingly of former interns in what felt like scapegoating. He found his experience to be unacceptably bad and not aligned with NLG's values.

NLG President Suzanne Adely also spoke in favor of the resolution. She explained that she was contacted by an attorney engaged in advocacy for incarcerated people through a law clinic. The attorney raised concerns that a project of the chapter was operating in a way that was harming incarcerated people. Subsequently, Suzanne was forwarded communications from an incarcerated person alleging the same with more detail. It was reported to Suzanne that when incarcerated people faced retaliation for participation in a strike, DE-NJ held themselves out as offering assistance in seeking redress. Yet, according to these reports, after intakes and promises of pursuing cases, the chapter failed to follow up, allowed statutes of limitations to expire, and left incarcerated people without an avenue to seek justice for what happened to them. NEC members also received intern reports of harmful supervisor behavior.

The current version of Article 8 requires the national board to bring disciplinary matters to the next all-member meeting even if it is a year away, and doing so creates a requirement to publish potentially sensitive information to voters to explain the need for intervention. People who report harm to us are disappointed to learn that we are not empowered to act timely and will have to share information with the thousands of members eligible to vote on the issue before disciplinary action can be taken.

Our values as an organization require us to take seriously any concern of harm, especially harm to incarcerated individuals and students in internship settings. Our values also require us to attempt to work together as comrades to intervene with potential harm being done in our name. DE-NJ unfortunately refused to participate in resolving these serious concerns.

The NEC now urges all NLG members to vote in favor of the resolution to revoke the DE-NJ chapter charter and Article 8 amendments to give the NEC authority to act timely, confidentially, and consistently with the aims and purposes of the NLG in response to harm in our name. Of course, NLG will remain a democratically led organization under these proposals. All NEC decisions are reviewable by the national membership under Constitution Article 5.6, which would not change under any of the proposals.