

# Civil Liberties Lawyer Blames Judge For His Ouster From Panel on Ethics

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Civil liberties attorney Monroe Freedman has blamed a U.S. Court of Appeals judge for having him removed from a George Washington University panel on legal ethics.

In a letter to the University's law school newspaper, he said that Judge Warren E. Burger took the panel's student organizer to lunch and urged that Freedman be dropped. The student, Fred Bennett, has acknowledged that he had lunch with Burger, but denied that the judge influenced the removal of Freedman.

Freedman and Burger clashed last fall after the lawyer said in a speech that under a few extraordinary circumstances an attorney might lie to a judge or jury.

Burger, a conservative on the Court of Appeals, and two

District Court judges complained about the speech. But Freedman was exonerated of any breach of legal ethics by the District Court's grievance committee.

Freedman wrote in his still-unpublished letter to the George Washington Law School newspaper that he had accepted an invitation from Phi Alpha Delta, a legal fraternity, to appear at an Oct. 28 panel discussion on the issue his speech raised last year.

He said that Burger and Sam Dash, director of the Georgetown University Institute of Criminal Law, also had agreed to participate. Later, Freedman said, attorney Edward Bennett Williams was added.

Then came the luncheon, he

continued, where Burger resigned from the panel and also persuaded Bennett to drop Freedman.

"This is not the first time that Judge Burger has tried to censor my views rather than attempt to combat them with reasoned argument," Freedman wrote.

Bennett said Freedman was dropped when the panel topic was broadened to "The Relationship and Responsibility of the Defense Lawyer to his Client, the Court, the Prosecutor, the Public and the Legal Profession."

At the same time, he added, the legal fraternity decided to restrict the panel to two members — Dash and Williams — to avoid "a shouting match." Bennett denied that Burger

had ever agreed to be on the panel in the first place.

James E. Starrs, a fellow George Washington Law School professor and Civil Liberties Union attorney with Freedman, had been slated to moderate the discussion. As a result of Freedman's removal from the panel, Starr said, he has resigned as moderator.