

6/20/70

Mr. H. Stuart Cunningham, Chief. Dep. Clerk
U.S. District Court, Northern Dist. Ill.
U.S. Court House
Chicago, Ill. 60604

Dear Mr. Cunningham,

I appreciate the promptness with which you wrote me June 17. I respond in haste because I do not want this matter to lapse if I can avoid it. And I now understand why you returned all the papers to me.

It is also clear that it would be wrong if, in effect, clerks of courts, ~~indefinitely~~ engaged in the practice of law. However, informing indigent would-be litigants of their rights, how to be able to exercise and enjoy them, and in advance of the proper procedures is, I think, not engaging in the practice of law and unless this is done in some way, the result is the rendering meaningless of any rights under the law or of access to the courts.

As it was not my intent to ask this of you, I also this this is not what I did. And some of the questions remain without answer. These include, can I meet the bond requirements in any other way, as by a property-owning resident of Illinois signing for it; why was my request to file in forma pauperis denied; and are there any other procedural matters of which I should be informed or which I may, in meeting the foregoing, yet encounter?

Without intending to burden you and hoping I do not, may I also ask if there are any means of which you are aware whereby I can be helped in this matter?

Also, what is the status of the Skolnick "suit"? Has the government responded, have any motions been made, etc.? If there have been such developments, I would like to obtain copies and, upon being informed of the cost, will send you a check to cover it.

I am sorry to add this correspondence to your existing work load. I trust you realize it is only because no alternative is presently available to me.

Sincerely,

Harold Weisberg

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
UNITED STATES COURT HOUSE
CHICAGO 60604

ELBERT A. WAGNER, JR.
CLERK

17 June 1970

OFFICE OF THE CLERK

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Md. 21701

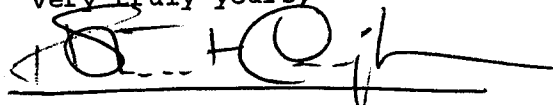
Dear Mr. Weisberg:

This is in response to your letter of 15 June 1970. Your complaint was forwarded to the judge along with your in forma pauperis affidavit, check for \$15 and correspondence that had gone between us. The judge denied leave for you to file the complaint in forma pauperis. We cannot file the complaint in this office even if you pay the \$15 filing fee unless you comply with Rule 2 of the Civil Rules of this Court (a copy of which was previously mailed to you) by filing a security for costs bond. I regret that we have no forms for such bond but the conditions of it are explicitly given in Rule 2.

The reason that I returned all your documents to you is that it is common practice in this office that once a complaint has been presented to a judge for leave to file and that leave denied all of the papers are mailed back to the person wishing to file the complaint.

I hope that the above information satisfactorily clears the matter for you. The Clerk and members of his staff are prohibited by law from giving legal advice. The only areas in which I can attempt to be of assistance to you are those covering the procedural matters.

Very truly yours,



H. Stuart Cunningham,
Chief Deputy Clerk

HSC:jh