

## APPEALS COURT ENDS CURB ON ATTORNEYS

NOV 4 1971

CHICAGO, Nov. 3 (UPI) —

The United States Court of Appeals for the Seventh Circuit has ruled that a 1965 United States District Court rule barring attorneys from discussing pending court cases with newsmen violates the First Amendment.

The Appeals Court, in a 2-to-1 decision yesterday, declared unconstitutional the rule that prohibited attorneys from "attempting to explain through any source of news media" action taken in pending court cases.

The case was appealed by Frank J. Oliver, an attorney who had been censured and suspended for violation of the rule.

The chief Appeals Court judge, Luther M. Swygert, and Judge Otto Kerner concurred in the majority opinion that the 1965 policy statement "is violative of the First Amendment and is null and void."

The senior Appeals Court judge, F. Ryan Duffy, dissented.

Judge Swygert and Kerner ruled that "blanket prohibition, such as the instant policy statement against all comment in all cases cannot stand without making a mockery of the free speech guarantee of the First Amendment."