

COURT HEARS A PLEA ON HOFFA'S RELEASE

WASHINGTON, June 5 (AP) — An attorney for James R. Hoffa argued in Federal Court today that no President in history had ever imposed the type of condition that was placed on Mr. Hoffa by President Nixon in releasing the former Teamster Union chief from jail. The judge took the case under advisement.

Mr. Hoff's attorney, Leonard B. Boudin, contended that Mr. Nixon's decision in 1971 to commute Mr. Hoff's sentence on the condition that he be barred from seeking union office until 1980 was an abuse of Presidential power.

"The President can't determine what is good for the man when he gets out," Mr. Boudin argued. "It is a probation problem, a problem for judges."

Mr. Boudin, the civil rights lawyer who has defended Dr. Daniel Ellsberg in the Pentagon papers case, called Mr. Nixon's action unprecedented and said it was the first time that a Presidential pardon was used to bar anyone from "lawful employment."

In a civil suit against the President, Mr. Hoffa contended that the ban is unconstitutional and resulted from a conspiracy between the incumbent Teamsters president, Frank E. Fitzsimmons, and Charles W. Colson, then a White House aide.