

Memo

To: Members of the Board
From: Jay M. Fokom
Re: Report from the Manager, SLR
Date: May, 1982

At our last meeting I outlined briefly my plan for the SLR. Since then, the plan has slowly but solidly moved forward.

Of first priority was the training of Matt St. George to take over the great bulk of law office responsibilities. Matthew came to me exactly one year ago from a civil law firm in which he had gotten only limited experience in certain types of research and writing. He had no experience dealing with clients, going to court, or preparing most types of documents. During this year, Matt has grown into a criminal and civil attorney of the highest calibre. He is now recognized by judges and his colleagues for the quality of his work; his results are excellent; and he has maintained a style consistent with our name, Center for Education and Legal Advocacy. In addition, Matt has taken over much of the responsibility of the law office books and records.

The second priority was to find a secretary-office manager who would bring as much integrity

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to that aspect of the office as Matt and I attempt to bring to the legal aspects. As Paul Hardman can attest to, after much floundering with office personnel, we found a real gem in a young man by the name of Kevin Rose. Kevin's typing and clerical skills are fine, his computer programming ability is outstanding, but most important, his commitment, devotion to us and to the office, and his assertive and highly motivated approach to his work and problem solving in general are unsurpassed in my experience.

Third priority was seed money for the reestablishment of the publication. This has begun with a \$20,000.00 contribution from Arthur's long-time friend, Arnold Schwab. I spent and continue to spend some time with Arnold; his desire was to contribute specifically for the purpose of creating a fund which would be used to get the SLR publishing again. Specifically, the fund, he suggested, could be used for grant writing and obtaining the much larger funds necessary to accomplish the purpose. Those funds from Arnold are gathering interest in a money market account in San Francisco and have not, to date, been used at all.

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In addition, the SLR continues to receive \$500.00 every month as a contribution, in lieu of a retainer to the law office for the work done for one of the local bathhouses. This amount has been used for SLR rent, telephone (MCI), and other miscellaneous costs. Finally, SLR has approximately \$2000 left in the fund from the Playboy Foundation, which was earmarked primarily for two cases involving constitutional challenges in California: People v. Reed (sex registration) (just accepted by the California Supreme Court) and People v. Wolf (prostitution) (pending before the appellate department of the Los Angeles Superior Court). The other \$3000 from the Playboy Fund (which was originally \$5000), was joined with an equal amount from the law office to purchase a computer system. In this way, the SLR has a tangible asset, namely a Diablo printer with a Rutishauser single sheet feeder. Otherwise, this \$3000 would have been paid to the law office for appellate work continued because of the Playboy funding. The law office would then have made the printer purchase, and the SLR would have had no asset to call its own.

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Much more funding is necessary. My goal is to have a professionally prepared quarterly report. The SLR's hibernation was prompted because it was no longer possible for the publication to proceed on a "voluntary" basis. As the primary movers became more involved in making law than reporting it, and the economic realities caused more and more of the volunteers to opt for paying jobs, and as the quality of the people sent to the office on work study and/or CETA programs diminished, it became increasingly clear that the publication had to professionalize or die.

According to my estimates, the publication could be totally professional with full time staff for approximately \$150,000. It has not yet been determined by the IRS whether we must be careful to avoid more than $\frac{1}{3}$ of that amount coming in grants in excess of \$5,000. This should be discussed in Philadelphia. The following foundations are potential donors:

New York University Public Interest Law
Foundation, N.Y. (up to \$15,000)
Rosenberg Foundation, S.F. (up to \$10,000)
Playboy Foundation (up to \$10,000)
Vanguard Foundation, D.C. (\$3 to \$10,000)

Capp Street Foundation, S. F. (\$500 to \$3000)
Agape Foundation, S. F.
Packard Foundation, Los Altos, CA (\$15 to \$20,000)
Levi Strauss Foundation, S. F.
Abelard Foundation, Santa Rosa, CA
San Francisco Foundation, S. F.

As you can see, this scratches the surface, and primarily in San Francisco. Every major city in the country could be tapped.

The readership for the SLR didn't go much above 400 in the past. If proper advertising is done so that the primary subscribers are broadened from law libraries to include public libraries, courts, judges, attorneys, other professionals, and members of the general public (specifically through organizations such as MECLA in Los Angeles) and legislators in every state, the subscriptions could easily be in excess of 1000. We might discuss a broad "membership" in the American Association for Personal Privacy. (Note: this would not include membership in the National Committee, Academic Union, or Sexual Law Reporter). Membership could give people a feeling of "participation" in and a recognition nationally

of the AAPP for \$50 per year. Subscription to the SLR would then be free. After much thought, I highly recommend this approach. The amount generated would be \$50,000 for every 1000 members. It would have the added benefit of giving us some of the publicity we would like.

Please also note that the \$150,000 budget figure includes a 15% service charge of \$20,000 for the American Association.

Attached to this memo are 6 summaries:

- (1) Job Descriptions, describing the staff qualifications and duties;
- (2) Functions, setting forth the whole picture of how I envision the professional SLR;
- (3) Subscribers Targetted, which inadvertently omitted "Members of Government," which would include legislators and beaurocrats;
- (4) Departments, which sets forth the various sections of the publication;
- (5) Topics, a subject index for the issues explored by the SLR staff; and
- (6) Budget, based upon present estimates and past experience.

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A few notes about the budget. We have negotiated a new 4 year lease on our office space. The lease is very advantageous; in November our rent will increase by only \$50⁰⁰ per month. This increase will not be passed on to the SLR, although there may be cost of living increases during the term of the lease which may have to be passed on in subsequent years.

The computer is used in the office from morning 'til night. The SLR also needs a full time computer. Initially the office and SLR can share the present equipment. Soon, however, it will be necessary for SLR to purchase its own computer and for the law office to purchase a separate printer. A computer has been budgeted accordingly. Since I last assessed the prices of what SLR needs, costs and technology have moved considerably in opposite directions. I believe a \$6,000 computer on the market now has the power and ability a \$15,000 computer had last November.

The office now has only one typewriter in addition to the computer. It is often being used at the same time as the computer. Past experience suggests to me that SLR needs both also.

File cabinets are also an absolute necessity. We simply do not have storage space. SLR now uses borrowed cabinets. A modum will make direct communication between the SLR and law libraries, other information sources, and other publications possible.

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As SLR becomes more active again, it will need its own phone line. Now, it is using an office line and has its own MCI number for long distance calls.

If accounting services are handled totally by AAPP, then the amount allocated in the budget could be subtracted from the total. However, AAPP may not want to be involved in all of the accounting and bookkeeping dealing with subscribers and subscriptions. The board should discuss this.

Travel expenses are approximately what costs have accrued for two persons in the past per year. Perhaps the travel expenses of all board members should be included in the budget. Since we hail from all parts of the country and need to meet in person at least twice a year, this is justifiable and probably appropriate.

The administration fees have already been discussed.

The budget for the start up period is as follows:

JUNE 30 - DECEMBER 31, 1982

Personnel:	MANAGER	<u>mo.</u> 2,000	<u>6 mo.</u> 12,000	} TOTAL \$ 22,950
	ASSISTANT	1,300	7,800	
Rent:		350	2,100	
Stationery:	LETTERHEAD, STATIONERY, POSTAGE, SUPPLIES		450	
Telephone:		100	600	

The amount the SLR has to work with is \$20,000 from Arnold Schwab plus \$500 per month from my client (\$3,000). However, the 15% service charge for the AAPP is an additional \$3,450. Perhaps this would be covered by the interest on the Schwab account. Paul Hardman can report on that. Additional savings may be available if we are able to obtain an assistant through a grant or work-study program which is not too restrictive on time. Of course, volunteers will be used besides.

During this startup period, there are six or seven activities which must take priority:

- (1) Fundraising; grant writing; applications, letters, visits to prospective donors;
- (2) Re-establishing communication with old subscribers; preparing new subscriber lists; preparing advertising;
- (3) Re-organization of files and information; catalogue system, both on and off computer; filing system for information storage and retrieval;
- (4) Re-establish communication with law students, professors, librarians; establish network throughout the country for the SLR to obtain input;

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(5) Read and catalogue the thousands of newspaper articles, letters from attorneys, briefs, and other information accumulated in the last few months;

(6) Prepare or assist in preparation of three amicus curiae briefs: North Carolina Sodomy case; New York Bordering case; and California Lesbian Custody case;

(7) Begin write-ups of articles for first publication which should be scheduled for the end of January, 1983. It should be noted, however, that additional funding will be necessary to cover production costs for this first issue.

Other publications, perhaps of Arthur's historic treatise on sodomy, or others, might be useful to raise more revenue. Once the publication is re-established, three additional publications will be necessary: Annual Reviews of 1980, 1981, and 1982. We have all of the 1980 material now ready for write-ups. The 1981 and 1982 issues will require research and writing.

We might also consider reprinting the California Personal Privacy Commission's Report. It will be the definitive word analytically

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and historically on the subject and will probably make a major contribution to the entire country if it is properly published.

I also feel it is appropriate for the SLR to have a closer working relationship with Wayne Dynes and the academic as well as the historic areas. Without sacrificing anything in legal scholarship, the publication can have a much wider appeal than just to lawyers. This is one of my goals.

I am extremely gratified by the level of involvement and concern of the members of the board. It is even more important to me because of the deep friendships and love which underlie the relationships and the project. If this continues, we can't lose!

SLR - JOB DESCRIPTIONS

Manager

Qualifications:

At least 5 years legal experience with an emphasis on sexual civil liberties appellate practice is necessary so that the manager has a working understanding of legal and procedural principles involved in these types of appellate cases. The manager also must have an excellent ability with the English language; research, writing, proofreading, editing, and organizational skills; and experience administering a non-profit corporation. The manager must possess the interpersonal skills both to manage a staff consisting of a full-time legal researcher, a full time non-legal clerk with secretarial skills, and a number of volunteers; and to communicate constructively and creatively with the other members of the board. Finally, the manager must have experience working within and formulating economic guidelines and limitations.

Responsibilities:

The manager has primary responsibility for all decisions affecting the SLR, from materials purchased to personnel hired. Any expenditures which exceed those approved by the board in the annual budget, shall be submitted in writing to the board for its approval unless time is of the essence on which occasion a telephonic conference will be convened with a written follow-up. In other substantial financial matters, the manager may consult the board for its input, and such input shall be advisory only.

All proposed expenditures to be made within the approved budget or invoices from expenditures already made under the authority of the manager or by reason of the approval of the board shall be submitted to the treasurer of the corporation for actual funding.

The manager shall submit to the board an annual report and budget for the coming year along with a financial analysis of the previous year, at the annual May conference.

Substantively, the manager shall supervise and participate in the gathering, organization, and storage of information regarding sexual civil liberties and privacy issues, including those areas listed in "SLR - TOPICS", attached hereto.

The manager will ensure that the principle location of the SLR will serve as a clearing house for this information for attorneys throughout the country who call or write for information. As part of this service, the manager shall put attorneys in touch with others with specific expertise, shall serve as consultant to legislators, judges, and others in public life, and shall provide information for persons in the private sector who are working on projects which have an impact on privacy or sexual civil liberties issues. This is a free service of the SLR.

The manager shall also supervise the staff and volunteers, including organization of a network of law students, librarians, and university professors who will monitor the various states for

important and relevant cases and other information, participate in preparation of write-ups of the information, and, on occasion, provide commentaries or articles for the SLR.

The gathering and organization of a trial and appellate brief bank will also be overseen by the manager.

The manager shall participate in and supervise the research and writing necessary for the publication of the SLR, as set forth in "SLR - FUNCTIONS", attached hereto. The manager shall read all primary sources as well as the work of the staff and volunteers to ensure the accuracy and integrity of the publication and the quality of the writing.

The manager shall participate in and supervise the editing, typing, type-setting, layout, pasteup, printing, and mailing of the publication.

The manager shall keep records of subscribers, including names, addresses, payments, and any other pertinent information.

The manager shall work with members of the board and others to target new subscribers and to prepare direct and indirect advertising in order to promote the SLR. The manager shall also work with members of the board and others for private foundational and governmental donations to the SLR and American Association for Personal Privacy, including the writing of grant proposals.

When appropriate, the manager shall write and issue press releases on SLR or American Association stationery, publicizing important court decisions or events.

The manager may participate in or organize educational seminars, lectures, or other public speaking engagements which will promote the SLR and its purposes. The manager shall choose cases in which to participate as amicus curiae on behalf of the American Association for Personal Privacy or the National Committee for Sexual Civil Liberties. Such choices shall be subject to approval by the board or its designees.

Finally, the manager may participate in and supervise the publication of other documents relevant to the issues addressed in the SLR, including legal and scholarly treatises and essays, briefs, handbooks, and the like.

Researcher

Qualifications:

At least one year law school or the equivalent is necessary. Writing skills must be excellent. The person filling this position must be interested in the sexual civil liberties movement and have some knowledge of the principles and issues involved. This person must also have excellent interpersonal skills. Typing skills are not mandatory but are preferred.

Duties:

The researcher assists the manager in all of the various projects in which the manager may participate. The most notable areas are:

Reading periodicals and newspapers for information pertinent to SLR topics;

Organizing and writing up the information;

Organizing and supervising volunteers in office and nationally;

Writing and proofreading summaries for the SLR;

Participating in the various production activities of the SLR.

Clerk

Qualifications:

Excellent typing and clerical skills are necessary, including filing and office management. Some computer knowledge is required. There must also be a willingness and ability to learn completely and quickly. The clerk must also have an interest in the subject matter of the SLR and must be self-starting, industrious, and possess communications skills necessary for dealing with subscribers, lawyers, judges, legislators, governors, and law students, both by telephone and by mail, as well as in person.

Duties:

The clerk shall handle the communications, written and telephonic, for the SLR. In addition, the clerk shall type; keep books and records including subscribers, subscription costs, payments; order materials and supplies; and participate in the production of the SLR at the direction of the manager.

Volunteers

Qualifications:

Some law school is preferred. However, superior intelligence, interest, and commitment may suffice. Research, writing, and communication skills are necessary.

Duties:

Volunteers shall monitor the courts and legislatures of the various states and the federal government, as well as local and state news which has an impact on SLR topics.

Volunteers shall also do research on specific topics at the direction of the manager. They shall, when appropriate, write up the information found for the SLR. Sometimes they will present proposed feature articles, book reviews, and commentaries for the reporter.

SLR - FUNCTIONS

<u>FUNCTION</u>	<u>SPECIFICS</u>	<u>RESOURCES</u>
1. Information gathering	News sources Periodicals Personal contacts Networks - law students - librarians - university professors	Books/magazines/papers Phone communications Library costs Duplicating
2. Information storage and retrieval	Each state General subjects Brief bank	File cabinets Computer
3. Research)	New decisions)	Research time)
))	Pending cases)	Preparation)
4. Writing)	Articles)	- writing)
))	- courts)	- typing)
))	- administrative agencies))	- stationery)
))	- executive branches)	- supplies)
))	- legislatures)	- duplication)
))	- local governments)	- secretarial)
))	- private sector)	Equipment)
))	- trends)	- typewriters)
))	- strategy)	- computer)
))	- book reviews)	- software)
))	- profiles)	- printers)
))	- diagrams/charts)	Personnel)
))	- other information)	- manager)
5. Editing)	Formatting)	- secretary)
))	Layout)	- researchers (2))
))	Priorities)	- volunteers)
))	Personnel resources)	- book/record keeper)
))	Decision making)	- marketing expert)
6. Typing,)))	- accountant)
type setting,)))	Publication costs)
paste up)))	- type setting)
7. Printing)))	- printing)
))))	- stamps/envelopes)
8. Mailing)))	Facilities)
))))	- rent)
))))	- parking)
9. Subscriptions,)	Book/record keeping)))
public)	Subscription targeting)))
relations)	Advertising - direct)))
and)	- periodicals))))
advertising)))))
10. Fund raising)	Grant writing)))
11. News releases)	New decisions)))

SLR - SUBSCRIBERS TARGETED

Law Libraries

University
Courts
County or Municipal
Cooperative suites

Other Libraries

Schools
Community

Law Professors

Law Students

Practicing Lawyers

Criminal
Civil Liberties
Civil
Family
Discrimination
Employment
Public Defenders
City and County Prosecutors
Etc.

Judges and Justices

Trial Courts
Appellate Courts
Federal Courts
Administrative Officers

Activists

Civil Rights Movements
Sexual Civil Liberties Movement
Privacy Movement
Gay and Lesbian Rights Movement

Members of the Public

School Teachers
University Professors
Other members of various communities
Various business
Bathhouses
Bars
Adult Entertainment Establishments

SLR - DEPARTMENTS

- I. In the Courts
 - A. State appellate and supreme court opinions
 - B. Summaries
 - C. Unabridged opinions
 - D. Unpublished opinions
 - E. Pending litigation
 - F. Court trial and appellate briefs

- II. The Executive Branch
 - A. Executive orders
 - B. Administrative rulings
 - C. Administrative memoranda and policies

- III. Inside the Legislatures
 - A. Bills passed
 - B. Pending bills
 - C. Legislative and committee debates

- IV. Local Government
 - A. Municipal and county ordinances
 - B. Local administrative rulings and actions
 - C. Pending city council resolutions

- V. The Private Sector
 - A. Corporate policy
 - B. Private business practices

- VI. Profiles and Interviews
 - A. Lawyers
 - B. Judges
 - C. Legislators
 - D. Executive branch personnel
 - E. Authors
 - F. Other contributors to sexual civil liberties and privacy

- VII. Reviews of Literature
 - A. Books
 - B. Law review articles
 - C. Other articles

VIII. Feature Articles

- A. Trends and strategy
- B. Legal principles, issues
- C. Reports from other professions
- D. Reports from specific locations
- E. Charts, diagrams
- F. News updates
- G. Governmental reports
- H. History
- I. Surveys

IX. Bulletin Board

- A. Meetings
- B. Conferences
- C. Seminars
- D. Projects
- E. Assistance requested
- F. Law student jobs

X. Upcoming

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XIII. Index

- A. Cumulative
- B. For each issue

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Adultery
Alimony
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Attitudes
 Administrators
 Courts
 Executive Branches
 Judges
 Juries
 Law Enforcement
 Legislatures
 Private Industry
 Prosecutors
 Public

B

Bar Associations
Bookstores
Broadcasters

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Castration
Child Custody
Child Molestation
Child Support
Civil Rights
Civil Service
Cohabitation
Commitment, civil
Consent
 Age of
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Contraceptives
Corroboration
Credit
Crime against nature
Cross-dressing
Cruel and Unusual Punishment
Cunnilingus

D

Dancing
Decriminalization
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 Employment
 Enforcement of laws
 Governmental
 Laws
 Marital status
 Military
 Prostitution
 Public accommodations
 Sexual orientation
 Taxation
 Transsexuals
Draft
Due Process

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Educational institutions
Employment
Equal Protection
Establishment of religion
Evidence
Executive Branch

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Fornication

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Gross Indecency

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 Probation and parole
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 Retroactivity

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 Voyeurism

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SLR - BUDGET

January 1, 1983 through December 31, 1983

	<u>Monthly</u>	<u>Quarterly</u>	<u>Annual</u>	ANNUAL TOTALS
1. Salaries				
Manager	3,200.00	9,600.00	38,400.00	
Researcher	1,600.00	4,800.00	19,800.00	
Clerk	1,300.00	3,900.00	15,600.00	
Benefits			11,000.00	
TOTAL	-----	-----	-----	84,800.00
2. Facilities				
Rent	350.00	1,050.00	4,200.00	
Parking	110.00	330.00	1,320.00	
Insurance			250.00	
TOTAL	-----	-----	-----	5,770.00
3. Publishing Expense				
Type Setting		400.00	1,600.00	
Printing (1500)		1,000.00 <i>x4</i>	12,000.00 <i>4,000</i>	
TOTAL	-----	-----	-----	<i>5,600.00</i> 13,600.00
4. Duplicating Expense	100.00	300.00	1,200.00	1,200.00
5. Stationery and Supplies				
Letterhead		100.00	400.00	
Paper/Envelopes		300.00	1,200.00	
File Folders			150.00	
Ribbons			100.00	
Computer Supplies			200.00	
Postage		200.00	800.00	
Misc. Office Supplies			150.00	
TOTAL	-----	-----	-----	3,000.00
6. Office Equipment				
Computer			6,000.00	
Printer			0.00	
Software			2,000.00	
Typewriters			1,000.00	
File Cablinets			1,000.00	
Service/Maintenance Agreements			1,500.00	
Modum			1,000.00	
Miscellaneous			1,000.00	
TOTAL	-----	-----	-----	13,500.00

7. Telephone Expense

MCI	200.00	600.00	2,400.00	
Answering Service	50.00	150.00	600.00	
Basic Service	50.00	150.00	600.00	
<u>TOTAL</u>				3,600.00

8. Professional Services

Accountant			500.00	500.00
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9. Travel

~~10,000.00~~ ~~10,000.00~~
~~2,000.00~~ ~~2,000.00~~

10. Case Expense

200.00 200.00

11. Library costs

Subscriptions			150.00	
Books			150.00	
<u>TOTAL</u>				300.00

12. Administration Fees

20,000.00 20,000.00

TOTAL

148,478.00

advertising 1,522.00
150,000.00