

Date of Meeting: April 18-19, 1958

Date of Memo: April 11, 1958

Memorandum No. 7

Subject: Communication from Harvard Student Legislative
Research Bureau

Attached is a copy of a letter which I received from Mr. Nicholas J. Coolidge, Vice President of the Harvard Student Legislative Research Bureau, together with a brochure sent with his letter. I believe that these items are self-explanatory.

I recommend that we discuss at the April meeting whether to accept the offer of the services of the Student Research Bureau. It occurs to me that the bureau might be able to give us considerable assistance with such studies as the following, none of which have yet been assigned for study:

- 41 - Revision of Small Claims Court law
- 57(L) - Revision of the law relating to bail
- 59 - Revision of California statutes relating to service of process by publication.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

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Enclosures

HARVARD STUDENT LEGISLATIVE RESEARCH BUREAU

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March 25, 1958

Professor John R. McDonough
Stanford University Law School
Stanford, California

Dear Professor McDonough:

I talked recently with your colleague, Professor Phil Neal, and he spoke of the important work that you are doing in connection with the California Law Revision Commission.

This letter is to offer your Commission the services of the Harvard Student Legislative Research Bureau. Operating on a grant from the Law School, we carry out drafting projects for legislators and public service organizations. The Bureau is composed of about 35 students selected from the top half of the second- and third-year classes. A number of our members are from California and have a particular interest in the type of work in which the Law Revision Commission is engaged.

I enclose a brochure with more detailed information about the Bureau. We are now considering project requests and planning our work program for next fall.

Sincerely yours,

/s/ Nicholas J. Coolidge

Nicholas J. Coolidge
Vice President

Enclosure

HARVARD STUDENT LEGISLATIVE RESEARCH BUREAU

PURPOSES AND SCOPE

The purpose of the Harvard Student Legislative Research Bureau is to make available to governmental and public service groups technical services in the preparation and drafting of legislation. The Bureau was organized in the belief that such a group would be of service to the community, and would provide valuable educational experience for its members. The scope of its operations includes the drafting of bills for Congress, for the legislatures of the several states, for administrative agencies, and for municipalities.

The Bureau is a student organization, and responsibility for its products rests entirely on its student membership. Its staff of thirty is composed of members of the second and third year classes of the Harvard Law School. These members are selected through a competitive program which is limited to members of the top half of each class.

The Bureau is financed by a grant from the Harvard Law School. It accepts projects as a public service and does not accept remuneration.

HISTORY

In recent years, the problems of statutory interpretation and drafting have taken up an increasing amount of the time of both lawyers and law students. In 1952 a group of students from the Harvard Law School who were concerned with the need for experience in the problems of the legislative process founded the Harvard Student Legislative Research Bureau.

At first the Bureau was able to undertake only a few projects. But today, after five years of service, its membership is able to handle approximately twenty-five projects each year.

SELECTION OF PROJECTS

When a client requests the services of the Bureau, the Director of Client Relations or a member of his staff consults with the client by mail, phone,

or in person to determine the exact nature of the substantive problems involved, the length of the project, the deadline for its submission, and any other pertinent matters. Of course, it expedites the proper completion of the project if the client is specific in stating the various facets of the problems and his specific policy objectives in his initial letter of request. It is also useful when the client provides an outline of research which has already been completed, since this enables the Bureau staff to make a prompt start, and prevents duplication of efforts.

Once the problem is ascertained, it is referred to the Director of Research, whose staff does a preliminary study and analysis, the purpose of which is to determine if the project is one which the Bureau can accept. It is expected that at the beginning of each school year, more projects will be presented to the Bureau than it can adequately handle. Thus, a selection is necessary.

Several factors are considered in making this selection. Among the most important are: the importance of the proposed bill to the community in which it may be enacted, or its importance in general; the educational experience offered to the membership by the project; the availability of personnel; the interest of the membership; and the likelihood of the bill being enacted into law.

The Bureau tries to give its members the beneficial training of close personal contact with its local clients as well as experience in working with projects from other states and from Congress. The Bureau does not accept projects involving research alone, but only those assignments which include the drafting of specific legislation.

DISPOSITION OF PROJECTS

Once the project is accepted, it is referred to a committee of the membership which does the actual job of research and drafting. These committees are selected so that each project has the benefit of experienced members to oversee all work and guide its progress. All of the work is done entirely by the student membership.

When the drafting committee completes its work, it is checked by a board of reviewers under the supervision of the Director of Research. Each committee submits with its draft an explanatory memorandum, and both items are examined. When the staff is satisfied with the form, clarity, and contents of the proposed draft, it is sent to the client with

its covering memorandum. The Bureau tries to keep in close contact with its clients so that it can assure that its drafts conform with the policy determinations set forth by them. The procedure is flexible enough to allow adaptation to the particular needs of the clients.

NO LOBBYING

The Bureau is entirely non-political and technical in its function. The group seeks to serve the community by assisting proponents of legislation in presenting their ideas in statutory form appropriate for legislative consideration. The policies embodied in the drafts are those of the clients. Neither the Bureau nor Harvard University endorses these policies. And neither the Bureau nor its members will lobby for the passage of any bills.

PUBLICATION OF ILLUSTRATIVE PROJECTS

The Bureau often receives inquiries from parties interested in subjects on which it is presently working, or on matters involved in bills previously drafted by it. Where the drafts and memoranda are of a non-confidential nature, and where the client for whom it was drafted consents, copies will be supplied to all who request them.

In order to make available these materials, several recent projects of more than local or passing interest are being collected for publication by the Bureau. This publication is also illustrative of the type of projects handled by the Bureau in the course of a school year. Copies will be available on request. The projects included in this publication are described below.

One of the more extensive projects was a complete revision and reorganization of the Child Labor Code of the District of Columbia. The client, a Congressman, desired to modernize the existing Code and to eliminate many of the formalities which delayed qualified juveniles in obtaining proper employment.

Also, the Bureau made a survey of state laws concerning authorizations for banks to make loans in other states. It prepared an analysis of the existing laws and drafted a proposed uniform state law for a Committee of the Conference of Uniform State Law Commissioners.

Another client from the federal Congress was assisted in drafting a bill concerning civil rights

legislation. Alternative drafts were drawn up relating to the exhaustion of state administrative and judicial remedies as a prerequisite for federal action in the field. The Bureau also analyzed the practical and constitutional problems involved.

For a Senator, the Bureau drafted a federal lobbying control bill to clarify existing law and also to provide for more extensive coverage of "direct lobbying" activities consistent with administrative and constitutional limitations.

Two projects were done at the request of professors of the Harvard Law School. One involved the preparation of a statute to modify the doctrine of estoppel by deed in land transactions in Massachusetts. The other was a bill designed to meet problems which arise in case of death of fiduciaries in event of atomic attack, with its attendant destruction of documents and records, and disrupted communications.

The Bureau also prepared a bill for a member of the Massachusetts General Court which would change the method of selection of jurors by establishing a system of full-time county jury commissioners who are responsible to the judiciary and who handle all phases of selection and assignment of jurors.

These projects are but a few of those undertaken by the Bureau during a year, but they illustrate the nature of the problems considered.