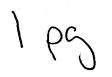
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CACCOZES



School of Law-Newark • Constitutional Litigation Clinic S.I. Newhouse Center For Law and Justice 15 Washington Street • Newark • New Jersey 07102-3392 • 201/648-5687

November 18, 1985

TO: ALL COUNSEL IN <u>URBAN LEAGUE</u> CASES BEFORE THE SUPREME COURT FROM: Eric Neisser and John Payne

RE: CONSTITUTIONAL ISSUES TO BE BRIEFED BY URBAN LEAGUE

This is to inform you, in accordance with the November 15 instructions of Mr. Townsend, that the <u>Urban Leaque</u> respondents intend to argue that the Fair Housing Act is or may be invalid, depending on statutory construction, in the following respects:

a) facial invalidity:

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1) absence of authority for Council to award builders' remedies;

2) absence of authority to issue development restraints;

b) partial invalidity:

1) moratorium on builders' remedies;

4) credits against fair share;

5) alleged delay in enforcement of constitutional obligation;

7) effect of settlement set forth in Section 22 of the Act;

c) severability.