

COURT COSTS LIUZZO CHILDREN GET BILL FROM U .S.

Detroit Free Press (MI) - Thursday, June 2, 1983

Author: MARTIN F. KOHN Free Press Staff Writer

The **children** of slain civil rights worker Viola **Liuzzo** , who lost their suit against the government Friday, must pay the government's **court costs** , U .S. District Judge Charles Joiner has ruled.

The amount involved will not be known until the Justice Department submits its **bill** to the **court** . The **Liuzzo** family's own **court costs** were more than \$60,000, said Jeffrey Long, one of their trial attorneys. That does not include attorney fees, as their attorneys worked for free, Long said.

Joiner could not be reached for comment Wednesday, but **court** officials and Michigan ACLU director Howard Simon said the judgment does not require the family to pay for the government's lawyers.

Although limited to "statutory **costs** , things like the fees of the clerk , filing fees, fees of the **court** reporter, government witness fees, copies . . .," Joiner's order is "exceedingly ominous," Simon said.

"IF HIGH **COSTS** are assessed against the Liuzzos, I think it borders on viciousness on the part of the government. If other people who have been victimized are going to be forced to suffer like that, they may be too afraid to even bring their cases to **court** ," Simon said. "It constitutes a chilling effect on other people who are victims."

The ACLU represented the **Liuzzo** family in earlier stages of their lawsuit.

Joiner wrote: "It is ordered and adjudged that the plaintiffs take nothing, that the action be dismissed on the merits, with prejudice, and that the defendant recover of the plaintiffs its **costs** of action."

Although the order was included with the 16-page decision released Friday, it apparently was overlooked as lawyers and others concerned concentrated on reading the decision itself.

"We were so stunned by the decision itself , it really wasn't until we had time to absorb that he had assessed **costs** too," Long said.

JOINER RULED in the decision that the U .S. government and the FBI were not responsible for the March 25, 1965, murder of **Liuzzo** in Alabama. **Liuzzo** , a white Detroit housewife and mother of five, was in Alabama for the Selma-to-Montgomery voting rights march. She was shot and killed while driving a black marcher back **from** Montgomery to Selma.

Her **children** sued for \$2 million in damages after FBI informer Gary Thomas Rowe revealed he had sometimes taken part in Ku Klux Klan violence while working for the FBI.

Rowe was in the car **from** which the fatal shots were fired. The lawsuit charged he had taken an active role in the murder, that the FBI was aware of Rowe's tendency to be violent and was negligent in allowing him to go on the trip.

The **Liuzzo children** would be hard-pressed to pay any more **court costs** , Long said. Their own debt for trial-related expenses "hasn't all been paid , quite frankly. People have graciously agreed to absorb the losses . . . If we can't pay the people that helped **us** out I don't know how the Liuzzos are going to pay the government," Long said.

Edition: METRO FINAL

Section: NWS

Page: 1A

Record Number: 8302140141

Copyright (c) 1983 Detroit Free Press