

2017 INSTITUTE FOR LOCAL GOVERNMENT LAWYERS (ILGL) PROGRAM

Saturday, October 14, 2017

The Institute for Local Government Lawyers (ILGL) is a introductory program geared towards attorneys new to local government as well as seasoned attorneys who need a “refresher” on the fundamentals of local government law. Presenters are seasoned law school professors and local government attorneys at the top of their field. The presentations will provide a broad overview on several topics of interest to local government attorneys and will be in a classroom-type setting. Visit www.imla.org to register.

Start Time	End time	Topic		Speaker(s)
7:00AM	5:00PM	Registration		
7:45AM	8:00AM	Welcome to IMLA		David Wesner
8:00AM	8:15AM	You Have Just Been Appointed the City or County Attorney: Now What?		Robert Alfton
8:15AM	9:15AM	Fundamentals of Municipal Finance and Borrowing	Municipal attorneys are often asked, “Can we do this?”, when “this” relates to getting, spending, and borrowing money by their municipal clients. This session will consider the essential legal issues attendant to that question. We will discuss basic constitutional issues like public purpose, corporate purpose, and lending of the public credit; the theoretical distinction between taxes and fees; the legal ramifications of that distinction; and other limitations on the ways that municipalities can get and spend money. We will also briefly consider the role and types of municipal borrowing. Because the laws vary widely from state to state, the session will focus on issue spotting and general questions that the municipal attorney should consider when asked financial questions.	Eric Shytle
9:20AM	10:20AM	Parliamentary Procedure	Municipal and county governing boards are often populated with well-meaning public servants who have little or no understanding of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This “down-home” approach might appear to work well when the board is dealing with noncontroversial matters. Yet when controversy arises – and it always does – the result can be multiple motions made in rapid succession and members who are confused about what they are being asked to vote on. In such situations, the presiding officer is likely to seek the advice of counsel. This presentation will arm local government attorneys with basic principles of parliamentary procedure, examine the legal sources of those principles, and review common procedural problems.	Trey Allen
10:20AM	10:35AM	Coffee Break		

10:35AM	11:35AM	Open Government Laws—Key Concepts and Hot Topics	Public Record (FOIA) laws and open meeting requirements provide transparency and accountability in local government. New city and county attorneys must be familiar with the basic coverage and scope of the transparency laws that govern their clients, as well as the exceptions that apply (whether by statute or court interpretation). These laws vary from state to state, but some issues are universal. Hot topics to be discussed include electronic records and metadata, virtual meetings and remote participation in meetings, status of records in social media, standing requests, status of citizen information in public records, public information on private devices and accounts, and private information on government devices and accounts. Using scenarios involving common transparency issues as prompts, participants will be invited to talk about the basic rules and emerging issues in their jurisdictions.	Kara Millonzi
11:40AM	12:40PM	Personnel and Employment Law	<p>It often has been said that one of the largest components of a local government budget is for personnel and labor costs. While there are many similarities between guiding employers between the public and private sectors, public employers have some additional concerns not faced by their private employment counterparts.</p> <p>This presentation provides some road maps and guide posts to help navigate through the maze of federal and state statutory employment requirements along with discussion of some common law doctrines particularly focused on the public sector. Among topics to be addressed are the following:</p> <ul style="list-style-type: none"> - The Employment Framework – Employee, Volunteer or Independent Contractor; At Will Status - Overview of Selected Federal and State Labor Laws - Constitutional Protections for Public Employees, Including Employee Speech - The Life Cycle of Employment from Hiring to Discipline to Termination - The Municipal Attorney’s Role 	Roberta Cross
12:40PM	12:45PM	Morning Program Evaluations		

12:45PM	1:00PM	Break		
1:00PM	1:45PM	Lunch Panel- Candid Lessons Learned In 40 Years of Practice		Steve Meyers
1:50PM	2:50PM	Land Use Law 101	Land Use Law 101 is designed to serve two audiences. First, for those new to land use law, this is a primer on all the basics you need to know to spot issues and to determine when you need to dig deeper. Second, for the experienced practitioner, it is a comprehensive update of the most recent developments, typically those of the last year, from trial court decisions to the U.S. Supreme Court, all in the context of the issues faced daily in this practice. The focus is on practicality and take-home value.	Dwight Merriam
2:55PM	3:55PM	Ethics	Representing a local government provides opportunities for great satisfaction as well as many challenges. Among the latter are issues arising from the many opposing and possibly conflicting concerns facing a municipality. The municipal lawyer may be asked for guidance from multiple sources and on multiple occasions. The standard ethics rule guidance is to note that the municipal attorney's client is the municipal corporation itself. But that guidance needs clarification in the real world. For example, who is the client when individual governing board members make legal inquiries? To whom are confidential duties owed? Who may waive confidentiality? How may municipal lawyers interact with officials or employees on "personal" matters? When do conflicts of interest arise, and how can municipal lawyers anticipate them with 20-20 hindsight? This session seeks to provide an interactive review of these and other issues which arise in the course of providing legal advice and guidance to a municipality.	Dan Crean
3:55PM	4:10PM	Coffee Break		
4:10PM	5:10PM	Dealing with the Press	If the press is going to run a story about your entity, whether positive or negative, you want the opportunity to present your side. This presentation will outline techniques and strategies for interacting with the press including how to prepare for an interview and how to address various challenges that may arise during the course of an interview.	DeWitt "Mac" McCarley
5:10PM	5:15PM	Program Evaluations		

CLE Credit | 6.0 hours including 1 Ethics/Professionalism Credit