



INSTITUTE FOR LOCAL GOVERNMENT LAWYERS
Saturday, October 14, 2017 8:00 AM – 5:15 PM
Niagara Falls, Ontario, Canada

DESCRIPTION: The Institute for Local Government Lawyers (ILGL) is a beginners-level program geared towards law students, attorneys new to local government, as well as seasoned attorneys who need a “refresher” in various general topics of local government law. Presenters are law school professors and/or local government lawyers with a vast amount of experience throughout the United States. The presentations will provide a broad overview on several topics of interest to local government attorneys and will be in a classroom-type setting. The tentative schedule is below.

AGENDA

7:00am

Registration Opens

7:45am – 8:00am

Welcome to IMLA

8:00am – 8:15am

You Have Just Been Appointed the City or County Attorney: Now What?

8:15am – 9:15am

Fundamentals of Municipal Finance and Borrowing

1.0 General CLE

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.

9:20am – 10:20am

Parliamentary Procedure

1.0 General CLE

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



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of parliamentary procedure, examine the legal sources of those principles, and review common procedural problems.

COFFEE BREAK (15 minutes)

10:35am – 11:35am

Open Government Laws—Key Concepts and Hot Topics

1.0 General CLE

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.

11:40am – 12:40pm

Personnel and Employment Law

1.0 General CLE

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.

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:

- 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

12:40 pm-12:45pm

Morning Program Evaluations

BREAK

12:45pm – 1:00pm



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LUNCH PANEL

1:00pm – 1:45 pm

“What I wish I had known when I Became a Local Government Attorney”

1:50 pm- 2:50 pm

Land Use Law 101

1.0 General CLE

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.

2:55 pm – 3:55 pm

Ethics

1.0 Ethics CLE

COFFEE BREAK (15 minutes)

4:10pm – 5:10pm

Dealing with the Press

1.0 General CLE

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.

5:10pm- 5:15pm

Afternoon Program Evaluations

FINISH

CLE Credit | 6.0 hours including 1 Ethics/Professionalism Credit