

For the International Municipal Lawyer's Association - IMLA's 5 things to know for January 5th

Today, in 1975, I got my first job as a real lawyer and was sworn in as a prosecutor in Carroll County Maryland. Happy Birthday to Tom Hickman, the man who gave me that opportunity and also Happy Birthday to Jose Trujillo (www.trujillodesign.net) IMLA's graphic designer who did an amazing job as always on IMLA's latest journal which is available to members now.

1. With all the talk about the potential security flaws associated with computer chips, like Meltdown and Spectre, Monday's ediscovery call with Pete Haskel presents the timely opportunity to discuss how vulnerability generally, not just these newly-discovered flaws impact claims of privilege for computer files? Ethical duties for storing and communicating data. Pete will discuss that issue and invite input from participants, on Monday's IMLA ediscovery working group Conference Call. 1 PM Eastern Time. Meltdown, the first and most urgent flaw affects nearly all microprocessors made by Intel. The second, Spectre, affects most other chips.
2. Yesterday, the 10th Circuit reversed a lower court's decision to grant an injunction against Denver Airport's regulations on protests. The case provides a well-reasoned analysis of how regulation of speech in a non-public forum should be analyzed.

<http://www.ca10.uscourts.gov/opinions/17/17-1071.pdf>

3. On Wednesday, the 9th Circuit concluded that California's regulation of credit card surcharges violated the First Amendment. The case follows the Supreme Court's decision regarding a New York law that also regulated pricing structures attempting to hold merchants to a clear standard in how they price retail sales. What seemed to be a distinction between the laws was that California's seemed a regulation of conduct only, but the 9th Circuit found otherwise. In New York, the 2nd Circuit has certified a question to that State's highest court to allow it to decide how the law should be interpreted.

<http://cdn.ca9.uscourts.gov/datastore/opinions/2018/01/03/15-15873.pdf>

4. For those locked in the bitter grip of winter another turn back the clock and pick up some great books about lawyers recommendation – educated literally at the feet of her father, celebrated author Adela Rogers St. Johns in *Final Verdict* recounts the life and trials of her father Earl Rogers in Los Angeles at the beginning of the 20th Century. Rogers represented Clarence Darrow in the LA Times bombing case and was so renowned at the time that in LA during baseball games crowds would chant “Kill the umpire. Earl Rogers will get you off.”
5. The *Baltimore Sun* reports that a federal court in Baltimore has concluded that the city violated employee contractual rights when it modified the city's pension plans. IMLA programming has included presentations in the past about successful efforts to modify pension plans and will support Baltimore as it works through these issues.

<http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-pension-benefits-ruling-20180103-story.html>

Our new year of Distance Learning programming begins shortly and offers timely discussion on current topics not just for lawyers. The issues discussed inform policies and discussions across the spectrum of local government officials' need to know. Joining IMLA allows members to get up to date training and information on a wide range of legal issues. Sign up at www.imla.org. Not a member? Contact us. Have a great day and a great weekend and make it an inspirational one.