

For the International Municipal Lawyer's Association - IMLA's 5 things to know for November 30th

1. In Seattle, a King County circuit court reversed a municipal court judge who had found that a blanket policy ruling out pre-trial diversion for men caught up in massage parlor stings violated due process, and she ordered that the city consider diversion. The city successfully argued that the municipal judge had inserted herself above city attorney Pete Holmes in setting prosecutorial policy. IMLA has discussed programs at its conferences to address illegal massage parlors, Seattle's approach is another idea.

<http://www.thestranger.com/slog/2017/11/28/25591052/city-attorneys-crackdown-on-sex-buyers-doesnt-violate-due-process-appeals-court-rules>

2. On Friday the Supreme Court will conference and review a couple hundred cases to determine whether to grant review. Among those cases is the important question raised in City of Houston vs Pidgeon of whether Texas' Defense of Marriage Laws can prevent the city from providing benefits to same sex married couples. The Texas Supreme Court remanded the case to the lower court. IMLA was one of many organizations filing amicus briefs in support of the city's authority to make its own decision on the issue.

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/17-424.html>

3. Yesterday, the SEC issued a press release announcing that it had entered into a settlement agreement with the Town of Ramapo, New York that among other requirements mandates that the town hire an independent disclosure counsel before it can issue bonds. The independent disclosure counsel must be from a different firm from that of bond counsel and must render an opinion satisfying certain requirements. In another action, the agency recently charged Oyster Bay, New York and its top elected official with defrauding investors in the town's municipal securities offerings by hiding the existence and potential financial impact of side deals with a businessman who owned and operated restaurants and concession stands at several town facilities. Thanks to Robert Doty for passing these along, Robert's book discussing legal issues such as these is available on our website.

<https://www.sec.gov/litigation/litreleases/2017/lr23997.htm>

<https://www.sec.gov/news/press-release/2017-213>

<http://imla.org/images/links/MISC/DotyAd4.pdf>

4. Speaking of the Supreme Court – it reverses roughly 80% of the cases it decides and decides less than 1% of the cases submitted. Practice tip: Read Rule 10 of the Court's Rules before filing a petition or a response to a petition and tailor your petition or response to that Rule.

<https://www.supremecourt.gov/filingandrules/2017RulesoftheCourt.pdf>

5. In news out of Chicago, the city will establish an affirmative litigation unit and has already begun actively engaging as a plaintiff to protect Chicagoans with suits against Uber and Expedia for data breaches. The Tribune offers a nice article about the law department and IMLA member Corporation Counsel Ed Siskel.

<http://www.chicagotribune.com/news/ct-met-city-law-department-reforms-20171128-story.html>

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