

For the International Municipal Lawyer's Association - IMLA's 5 things to know for November 21st

1. The case of the missing opinion. Yesterday I reported on a case decided by the 8<sup>th</sup> Circuit on Friday, November 17<sup>th</sup> Banks v Slay that opinion is no longer to be found on the court's website and there is no digital trace. Not sure what's going on there, so we may need to look for this decision to be coming out differently in the future. If you recall it involves a default judgment against an officer in the officer's official capacity.
2. Last week the Supreme Court granted certiorari in a case involving "compelled speech" with the question for the court in NIFLA, ET AL. V. BECERRA, ATT'Y GEN. OF CA being: "Whether the disclosures required by the California Reproductive FACT Act violate the protections set forth in the Free Speech Clause of the First Amendment, applicable to the States through the Fourteenth Amendment." IMLA expects to participate as an amicus in that case.  
[https://www.supremecourt.gov/orders/courtorders/111317zor\\_21o2.pdf](https://www.supremecourt.gov/orders/courtorders/111317zor_21o2.pdf)
3. The Seattle Times reports that the City of Everett will be defending two ordinances in court to day that affect the city's efforts to regulate coffee service. The paper's headline reads: "Freedom of speech or destructive "sexual self-objectification"? A federal judge Tuesday will hear arguments in the challenge to the constitutionality of two Everett city ordinances aimed at covering up bikini baristas." <https://www.seattletimes.com/seattle-news/crime/everetts-bikini-baristas-head-to-federal-court-to-argue-for-freedom-of-exposure/>
4. On Friday, Maryland's highest court concluded that a where a statute allows a developer to lock in the law existing at the time of an agreement with a local government to provide public facilities, that the statute did not require that those public benefits must be in addition to those already required of the developer. The case was Lillian C. Blentlinger, LLC William L. Blentlinger, LLC v. Cleanwater Liganore, Inc. et al., <http://mdcourts.gov/opinions/coa/2017/13a17.pdf>
5. In IMLA Programming:

On November 29 - IMLA's Land use series will discuss Form-Based Codes

Unlike traditional zoning, a form-based code is a land development regulation that provides a means of achieving a specific urban form. It utilizes physical form as an organizing principal and focuses on an integration of uses rather than a separation of uses. This presentation will provide an overview of form-based codes and will discuss both their pros and cons. Under which circumstances would a community use a form-based code? Attend this presentation to learn more. <http://imla.org/webinars/2017-calendar>

Our Bundle package for the Seminar and Conference in Houston is available now on our website where you can find out about our Kitchen Sink Distance Learning program [www.imla.org](http://www.imla.org). Have a great day and make it an inspirational one.