

The IMLA Municipal Attorney List

Just When You Think You've Heard It All…

by Don Knight

In the last Listserv column, we all learned about how to search the Listserv archives, thanks to Lawton Langford, President and CEO of Municipal Code Corporation, the Nation's leading codifier of local government ordinances. Now it's time to put that knowledge to work. Let's try to find some of the interesting topics that have shown up on the List recently. But first, for those who don't have the last column handily available, let's recap with a short refresher course.

To search the archives, you must have a password. Creating a password is easy and can be accomplished online:

- go to *www.municode.com* and click the eighth bullet, "Listservs,"
- click the "FAQs" link at the top middle of the screen,
- click "Establishing a Password,"
- click "Click Here" adjacent to "Attorney List,"
- enter the e-mail address you used in subscribing to the Listserv, and a password (twice for verification purposes),
- click "Register Password" button at the bottom of the dialogue box,
- you will see a Confirmation Sent message—open your e-mail software and reply to the confirmation e-mail sent to you by the Listserv.

On completion of these steps, you'll have a password and can search the archives. Past Listserv messages are stored at the *www.municode.com* site. The length of time messages are available has not been limited, and MCC guarantees at least six months.

To search the archives:

- go to *www.municode.com* and click the eighth bullet, "Listservs,"
- click the "List Archives" link in the middle of the screen,
- log in using the e-mail address you subscribed with and your password,
- click the "Search Archives" link at the bottom of choices under the title "options," and
- enter your search word in the any of the dialogue boxes and click "search" at the bottom right.

Searches can be by author, date range or key word. A "hit list" of messages meeting your search criteria will be returned, along with an excerpt from the original message. Clicking on the "Item #" to the left of the hit list will open the original message.

Some Interesting Topics

One of the advantages of archive searches is that you can go back and find topics you may have missed or that you dismissed with "Poor guy, I'm glad I don't have to deal with that," only to find the same issue land on your desk a few weeks or months later. Here's a sample of some recent topics:

Porn on Library Computers. To filter or not to filter, that is the first question. And if you don't filter, how should you address the possibility of younger patrons being exposed to adult-oriented content on library computers being used by others? Should computers screens be easily viewable by passing patrons to discourage inappropriate use, or secluded, so that minors are not inadvertently exposed to adult content? And what about the librarians? Should they be expected to enforce "appropriate use" policies if that means they will inevitably be exposed to pornography?

"You're Telling Me We Have No Idea Who is Supposed to Be in Jail or When They Get Out?" One list member inquired about other local governments' experiences with a web-based police and jail-tracking system that had suffered a catastrophic loss of data. Ouch! "I'm sorry, Mr.—was it Smith?—yes, Mr. Smith, so how long were you going to be staying with us?"

The FACT Act of 2003. If your city operates a utility, it is likely subject to the new FTC Red Flag regulations. If you're thinking, "What's that?"—it's time to search the Listserv archive for information on what you need to do.

Good Samaritans Flee California in Search of Sanity. List members were alerted to a recent California Supreme Court decision, ruling that a young woman who pulled a coworker from a crashed vehicle wasn't immune from civil liability because the care she rendered wasn't medical. The court held that the "Good Samaritan" could be held liable for worsening the crash victim's injuries by pulling her from a smoking vehicle (and one the woman thought was about to burst into flames). If you find this hard to believe, you need to search the archives for yourself.

But Wait: There's More…!

Those samples aren't half the wacky or need-to-know topics you will see every week on the Listserv, so if you aren't already a member, what are you waiting for? ML

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