

Crisis Management: Global is Local

by Charles Thompson, Jr., General Counsel and Executive Director

Just as we start to believe that our economy is turning around, we must adjust to a new threat: a pandemic flu. In 2005, I delivered a paper at the World Jurist Association's Congress in Beijing on the issue of preparing for, and dealing with, a pandemic. (That paper is available to our members on the IMLA website.) At the time of writing, I don't know whether the current virus – H1N1 Influenza A – turns into a true pandemic, but, certainly, I am seeing its potential.

Forget the CDC and forget FEMA – local governments are the center of action in responding to emergencies, whether they are natural disasters, human disasters, or pandemics. With that in mind, local governments need to consider what they must do to prepare themselves and their communities. When it comes to the potential for a pandemic or bioweapons disaster, no local government will be able to respond with sufficient protective equipment, treatments or medicines; yet, they can put in place protocols for an orderly response. The world has changed since 1918, when the Great Influenza devastated the world and took millions of lives. In 1918, people did not move between continents with the same speed and frequency that we do today – jumping on a plane in England in the morning and landing in New York the same day. While the ease of travel makes our lives more vibrant, the same ease of travel enables the more efficient spread of disease.

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For years, the use of a quarantine in some form or another served as something of a "levee" against the spread of disease. In 1918, the population of the United States was still primarily agrarian. True; we had large cities, but the suburbs were pretty much non-existent. How does this affect a quarantine? In those days, folks on the farm generally could get by and survive for a time without leaving their farm. Folks in the city could often depend on their neighbors for help in times of crisis. Today, if you quarantine a suburb, just the logistics of feeding those people, itself, creates a much more complex and costly dynamic. Without planning, a quarantine will not work, as people will need food. If faced with a loss of income, many residents will try to "break quarantine" to go to work and protect against losing their homes. Should someone break a quarantine order or wish to contest the order, where will the judicial proceedings take place? These contingencies require plans, and (as you can see from a glance at the newspapers) these are but a few of the issues that must be considered.



At IMLA, we are working harder than ever to find ways to help our members find value in membership and to provide necessary services. At the recently-concluded Mid-Year Seminar, the Large Population Centers group suggested we should set up a working group to discuss and work through issues associated with the Stimulus Plan. We have set up that group and, by the time you read this, we should have had at least one conference call for the group.

We have also set up several other working groups or common interest groups. So far, the most active group has been the Code Enforcement group, under the leadership of Roxann Pais of the Dallas City Attorney's Office. The group has had regular conference calls. So far, it has discussed Chicago's Vacant Building Registration law and Portland, Oregon's Distressed Property Receivership program, in addition to having a presentation on how to get stimulus money for code enforcement projects. Another group, the University Cities/College Towns group, under the leadership of Marion Radson (Gainesville, Florida) met at the Seminar and will be getting more active with conference calls and a program at the Annual Conference. The Sports Cities group (made up of cities and counties with professional sports

franchises or major facilities) plans to hold a program at the Conference on "naming rights," and we expect that to be an exceptional program.

IMLA has also set up two special groups: one for the city attorneys of their state's capital city; the other is for those communities engaged in, or contemplating, litigation with lenders over the foreclosure crisis. Both groups have been active in sharing information, and we hope that these groups will find value in the service.

Other groups that are in varying stages of formation: those for border communities, coastal communities, counties, police legal advisors, employment law, and construction law. We have also put together a group for young lawyers. I wish I could explain better what they are, but it has been so long now, I don't remember – anyway, I'm told this group is for lawyers who are 40 years old or less, or who have been in practice for less than ten years.

One last group we are working on, and a new service we hope to unveil shortly, involve ethics. We hope we can set up an Ethics Hotline for IMLA members; further, to use our ethics group to write and develop opinions on ethics for the guidance of our members and to aid state ethics committees as they analyze ethical issues that might affect local government lawyers.

If you have not yet registered for IMLA's 74th Annual Conference in Miami, you'd better hurry! Although the economy still stinks, the hotel rates we negotiated are awesome, and airfares are at some of the lowest rates in years. More importantly, we expect to have one of the best programs ever. This year, we are planning special programming for city/county managers, so bring yours! You should not miss this opportunity to let your city, county or town manager join you in better understanding some of the most important issues that affect us: furloughs, layoffs, impairment of contracts in emergencies, finding ways to save money through energy contracts, understanding the IRS position on public pension plans, and post-issuance bond disclosure and compliance – just to name a few.

The City of Miami embraces dynamic and energetic communities that harmonize to make it one of America's truly unique urban centers. Through programs like *Miami Vice* and *CSI Miami*, television viewers have been treated to the City's skyline, shoreline, energy and beauty. You should not miss this chance to join with Miami's city attorneys to learn how they have helped to make Miami the jewel that it is – and join the rest of us from around the country who also help to make our communities special. See the IMLA website at www.imla.org for registration information and discounts, including the Early Bird discount that ends on July 15, 2009.

Coming in Our Next Issue!

Coming in the **July/ August 2009** Municipal Lawyer! The magazine on *Civil Rights Issues for Local Governments* will include articles on the *Pleasant Grove City v. Summum* ruling; religious freedom issues and local governments; a model for report use of force by police; and the use of red light cameras.

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Our readers include local government attorneys, attorneys in private practice who represent local governments, city and county professional staffs, organizations with interests or ties to local governments, providers of services to and for local governments, library patrons, and others.

To Write for the Magazine – Submissions are welcomed and encouraged. If you are interested in writing, please contact the Editor, Sophia Stadnyk, at sstadnyk@imla.org with a short paragraph describing your topic, and including your contact information. Our magazine publishes bi-monthly, and feature articles are required to be between 2,800 and 3,300 words long, in total. Each article submitted is subject to review by IMLA staff, and IMLA reserves the right to edit all articles (for style, clarity, length, etc.). Articles cannot be used for commercial solicitations or to sell products or services. Submitting a proposal does not guarantee the opportunity to write for the magazine.

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