INSIDE IMLA

Hope



By Charles W. Thompson, Jr.
General Counsel and Executive Director

This issue of the *Municipal Lawyer* includes the Annual Report, in which we discuss the activities of your association over the past year. Please take a look at the Report and give us some feedback on what you see. Are we heading in the right direction? Are we meeting your needs? Are we adding value to your membership? With your participation and advice, we'll know we are heading in the right direction.

Obviously, the last couple of years have been a real struggle for IMLA and the local governments we serve. The economy has devastated budgets: local governments have stopped hiring or have laid off employees, imposed unpaid furloughs, closed offices, and imposed travel restrictions. All of these actions have taken their toll. IMLA has seen membership revenues decline and a dramatic fall-off in attendance at our events. In response, we have also cut staff, cut pay, and reduced the number of planned events, instead seeking to serve our members' educational needs through teleconferences. In numerical terms, we have cut salaries by more than a quarter, and we have more than halved our printing and mailing expenses. At the same time, we have attempted to add value to membership by creating "Working Groups" that we serve through listservs and regular (sometimes irregular) conference calls.

Despite the economic downturn and its adverse effect on our operations, IMLA continues to maintain an effective program of services that include our bi-weekly e-newsletter, this magazine, our CLE programs, and our legal advocacy program. This past year, our *amicus* program can boast a number of successes (and a few notable failures), but we continue to believe that the courts throughout the country recognize IMLA as an important *amicus* due to the strength of our numbers and the quality of our arguments. This past Term, we appeared in the United States Supreme Court in support of the prevailing arguments in *Salazar v. Buono*, *United Student Aid Fund v. Espinoza*, *Graham County Soil Conservation District* v. *U.S. ex rel Wilson*, *Doe v. Reed*, and *STOP the Beach Replenishment v. Walton County, et al.* IMLA also filed a brief in an important case in the Fourth Circuit, one that reversed a decision by the lower court finding an employee furlough program had violated the Contracts Clause of the United States Constitution.

As I reviewed IMLA's contribution to advocacy in the courts, I thought about how many cases IMLA (including its predecessor, NIMLO) has been involved in over the years, and how many have helped shape the law that guides us today. I did a Westlaw search and found that IMLA had participated in or was recognized in roughly 130 cases in the federal courts, and participated in or was recognized in about 70 cases in the state courts. *Baker v. Carr*, *Pleasant Grove City v. Summum*, and *Town of Castle Rock* v. *Gonzales* are just three of the cases that have helped shape local government law and in which IMLA played an important part. Unfortunately, many cities, counties and other local governments benefit from the results of our efforts, but do not participate in IMLA as members. Because IMLA views the issues as important to our members, we do not limit our *amicus* support to just cases involving our members; nevertheless, we cannot maintain our services without more members. I urge each of you to consider the value of having IMLA available to argue from the local government perspective the importance of local autonomy and authority, to argue against federalizing important local government functions, and to argue against expanding the liability of local government under federal and state laws. Once you agree that having IMLA in your corner benefits your local government, join; and, if you are already a member, get other communities to join us.

Last year, we began offering teleconferences as a way to bring important and topical issues to our members. With more members, we can reduce our already low fees for these programs, but there are ways to make these calls more valuable now. First, consider inviting your clients or client departments to participate. The calls can act as a springboard in giving the client advice on specific cases, matters, or just general advice to help guide the client. Second, consider getting the client to pay for the teleconference. Often, the client agency has more or additional funds available for training than the legal department. Use those resources to benefit your office and to help the client get the most up-to-date legal advice possible. While these programs are no substitute for our Annual Conference and Seminar, they do offer a great value for those of you who need important information on a legal issue now, or those who are travel-restricted or just cannot get away.

Shortly, we will be holding our Annual Conference in the wonderful City of New Orleans. I think it is fair to say that the last time we were in New Orleans for our Conference, things did not end as we would have hoped. The day before the Conference ended, on 9/11, Al-Qaida attacked our country, and many of our members were stranded or constrained in getting home. Despite that tragic day and the catastrophes that have hit the New Orleans area since, the City of New Orleans holds out hope for all of us as a model of survival. I hope to see you there, and I hope we can all use the opportunity to learn, play, and gain strength to survive the current economic climate affecting us today. ML