

85th Annual Conference

Virtual | September 21-October 16, 2020

Please note the program is tentative and subject to change



Monday, September 21, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
1:00PM to 1:30PM	Opening Ceremonies	Join IMLA President and Executive Director for welcoming remarks and helpful tips for new and long-time attendees alike, including information about the format for the Virtual Conference and networking opportunities. We will also be presenting our new and re-certified Local Government Fellows, Awards for Outstanding State/Provincial Chair, Outstanding Associate Member and the James H. Epps III Award for Longevity of Service to a Community Award	Chuck Thompson & Patrick Baker
1:45PM to 2:45PM	Land Use Section Meeting: Golf Course Redevelopment - Policy Issues, Practical Challenges, and Potential Liability	This presentation will discuss redevelopment options for golf courses and the possible legal challenges to such redevelopment, including takings claims. This presentation was developed by the land use section but is open to all attendees.	Susan Trevarthen & Alicia Gonzalez Moderator: Julian Grant
1:45PM to 2:45PM	What is Wrong With Law Enforcement and How Can We Fix the Problem?	The course will discuss current events impacting law enforcement. This discussion will center on the distrust between law enforcement and some of the communities served. The presentation will discuss the impact of law enforcement officers having inappropriate tattoos, challenge coins and clothing that furthers the distrust. We will discuss how law enforcement supervisors can assist in establishing trust by ensuring their subordinates act professionally at all times.	Eugene Ramirez Moderator: Rosemary Humway-Warmuth
	Break		
3:00PM to 4:30PM	Opioid Litigation	For two decades, opioid manufacturers, distributors and dispensers ignored regulatory requirements and profited as millions of Americans became addicted and many thousands died of overdose. Today, states, local governments, tribes and others are seeking recourse in the national opioid MDL and in scores of state courtrooms around the country. Jury trials are imminent and settlements in the billions are being actively discussed. This session will discuss the opioid litigation, including the causes of action, the upcoming trials, the proposed Negotiation Class, the Purdue Bankruptcy and other aspects of this massive national effort to resolve the issue and fund remedial efforts.	Erin Dickinson, Krista Baisch & Paul Hanly Moderator: Erich Eiselt
3:00PM to 4:30PM	Interplay of Federal, State, and Local Health Emergency Orders	When is an emergency health order a law? When is it a strong recommendation? Who can enforce an emergency health order, and how? These questions, and the many like it that have been brought to the forefront of municipal attorney practice in the wake of COVID-19, will be the focus of this presentation. Municipal attorneys who have been on the front lines will explore and address the various legal authority for, and effect of, Federal, State, and Local orders issued under a public health state of emergency. The presentation will have time for questions, comparing, contrasting, and brainstorming this interplay of governmental regulations when public health crises are raised	William Ihrke, Jennifer Farrell & Ajit Thind Moderator: Megan Suarez Mahan
4:45PM to 5:45PM	First Time Attendee / Board Reception	This reception is intended for attendees that have no previously attended one of IMLA's Annual Conference and our Board of Directors.	

Tuesday, September 22, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
2:00PM to 3:00PM	Employment Law Section Meeting: Temporary Remote Employee Considerations for Government Employers and Reopening Strategies	This presentation addresses measures government organizations should take when allowing or directing employees to work from home temporarily. It includes policy considerations for implementing remote employment due to unusual circumstances, such as pandemics, disaster recovery, weather conditions, and civil unrest. The presentation will help government attorneys address employment issues associated with sudden or unanticipated events that disrupt normal operations. The presentation will also address reopening procedures following closures and disruptions resulting from the COVID-19 pandemic. Parts of the presentation are also relevant to municipalities reopening facilities after a temporary closure for other reasons, including natural disasters or civil unrest. This presentation was developed by the Employment Law Section but is open to all attendees.	Roger Horner & Robin Cross Moderator: Deidra Sullivan
2:00PM to 3:00PM	Health and Environment Section Meeting: County of <i>Maui v. Hawaii Wildlife Fund</i> : What Does it Say and How Does it Apply?	In Maui, the U.S. Supreme Court applied the Clean Water Act to pollutants discharged through groundwater, which will have far-reaching consequences. This will be a legal and engineering presentation that analyzes the legal standard, explains the science regarding that standard, and considers technical and legal solutions to comply with this decision. This presentation was developed by the Health and Environment Section, but is open to all attendees.	Gene Tanaka & Rebecca Andrews Moderator: Barbara Adams
3:15PM to 4:15PM	Ethics and the Government Lawyer	In a famous speech in 1940, Justice Jackson, who was then Attorney General of the United States, spoke of the ethical duties of prosecutors. He explained that their “positions are of such independence and importance that while [they] are being diligent, strict, and vigorous in law enforcement [they] can also afford to be just.” The same is true for the local government attorney. This presentation will provide insight on ABA Rule 1.11 and the higher ethical standards required for government lawyers.	Judge Robert McDonald & Chuck Thompson
4:30PM to 5:30PM	Welcome Reception	Network with your colleagues from around the country via zoom. Bring your own beverage.	

Wednesday, September 23, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
12:00PM to 1:00PM	State/Province Networking Brunch	This is a great opportunity to network with members from your state or province!	
1:15PM to 2:15PM	Litigation Section Meeting: Practical Tips for Handling Virtual Court Proceedings	Hear from two different attorneys about how they are handling remote motions, hearings and appeals in their jurisdictions. What works and what doesn't in the new normal of remote litigation? This presentation was developed by the Litigation Section, but is open to all attendees.	Alan Zimmet & Stephanie Angolkar Moderator: Rob Brazel
1:15PM to 2:15PM	Hot Topics in CERCLA/RCRA for Municipalities	This presentation will give an update on case law and regulatory developments in CERCLA/RCRA. It will also focus specifically on trends in CERCA/RCRA matters involving municipalities, and focus on potential future changes and directions.	Meredith Weinberg Moderator: Beth Anne Childs
2:30PM to 4:00PM	Police Accountability: The Established Legal Landscape and Evolving Public Expectations Post George Floyd	In light of recent events, including the death of George Floyd and the months of civil unrest which have followed, it is not an overstatement to say there has been a seismic shift in public expectations regarding police accountability, with a renewed focus upon officer discipline. In this workshop, Scott Tiedemann, Managing Partner of Liebert Cassidy Whitmore, and Jeb Brown, Assistant County Counsel for the County of Riverside, California, will provide an overview of the established legal landscape regarding police officer discipline, including officer-specific “Bill of Rights” protections and constitutional due process, and access to police disciplinary records. Scott and Jeb will also provide a preview of legislation that is being passed and proposed at the state and federal levels to facilitate police reform, and their perspectives on how the quickly shifting landscape may impact police operations at the local level.	Scott Tiedemann & Jeb Brown Moderator: Deidra Sullivan

2:30PM to 4:00PM	State League Meeting: COVID-19 Cracker Barrel	This presentation will provide different state perspectives on issues related to COVID-19, including: 1) health and safety; 2) a discussion on what lobbying will look like; 3) what preemption issues may be heading our way; 4) a discussion on whether there will be a comprehensive nationwide reform of emergency management acts, liability concerns, workers comp, etc. The presentation will also provide considerations on handling state league / association annual membership meetings in the age of COVID-19. This presentation is geared toward state league / association counsel.	Amanda Stanley, Blaine Finch, Lori Lein, Greg Cochran, Morgain Patterson, J.D. Chaney & Kelly Pridgen
4:15PM to 5:15PM	State League Reception		

Thursday, September 24, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
12:00PM to 1:30PM	Land Use: The Reinvention of Single Family Zoning	The State of Oregon and City of Minneapolis have changed single family zoning in an effort to increase density, create more housing units, and help address racial segregation. This session will explore the benefits and challenges associated with the reinvention of single dwelling zoning and how communities can close the gap on missing middle housing.	Linly Rees, Ivan Ludmer & Joe Bernard Moderator: Timothy Hollister
12:00PM to 1:30PM	Telecommunications Update	This session will provide IMLA members with an update on the leading telecommunications issues, including: <ul style="list-style-type: none"> • The Ninth Circuit's decision on the FCC's small cell order challenge and what it means to local governments, • The appeal of the FCC's 621 Order and insights into any cable enforcement around the country, • An explanation of the FCC's effort to expand on 6409 Rules and • Best practices on addressing small cells in the rights of way. 	Andrew McCardle, Gerard Lederer & Joseph Van Eaton Moderator: Maja Haium
1:45PM to 3:15PM	Municipal Finance: 2020: COVID-19, WAP, Disclosure Traps, Oh My!	Local governments are scrambling to address the impacts of COVID-19, including decreases in taxes and other revenues, managing strained budgets, applying for CARES Act funding and complying with the related requirements, providing public health and social services, and travel restrictions. Who has time to think about and react to the impact of COVID-19, and the related guidance from the SEC on primary and continuing disclosure obligations under the federal securities law? Are tweets, Instagram posts, and press conferences public statements subject to the federal securities laws? Do executive and administrative orders delaying disconnection for delinquent utility customers or adjusting the terms of contracts and agreements have disclosure implications? What information should issuers consider disclosing in their offering documents? What disclaimers should issuers include in documents filed on EMMA? Join us for a discussion of these issues and certain approaches to mitigating potential liability under the federal securities laws.	Lorraine Tyson, Melissa Lopez Rogers & Linda Howard Moderator: Peter Andrews
1:45PM to 3:15PM	Crossing Jurisdictional Paths: The Growing Intersection between State and Tribal Regulation	This panel will discuss three key jurisdictional challenges municipal governments are facing: tax preemption claims in Indian country; conflicts arising from trust acquisition; and competing water demands.	Jena MacLean, Odin Smith, Ronak Patel & Aimee Ford
3:30PM to 4:30PM	Keynote & Awards Presentation	Senior Associate Supreme Court Justice Ming Chin will deliver the keynote address providing his unique perspective and insight as to how the Court views public lawyers, which will be a huge benefit to all of the city and county attorneys in attendance. Following his address IMLA will bestow the new Burk E. (Buck) Delventhal Legal Advocacy Award and Diversity, Equity and Inclusion Award followed by this year's winner of the Charles S. Rhyne Lifetime Achievement Award.	

Friday, September 25, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
1:00PM to 2:00PM	RLUIPA Update	Lawyers representing municipalities may be asked for advice on how to respond to applications by religious institutions for permission to locate their worship facilities within an area of the city that either does not allow for such uses under its zoning ordinance, or allows such uses only upon issuance of a conditional use permits. Often, these applications involve areas that the local government is attempting to redevelop or rehabilitate, by encouraging retail, entertainment, commercial and other pedestrian-oriented uses. In any such case, the lawyer needs to be aware of and fully understand the provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA), which provides strict and robust protections to religious assemblies in such circumstances. This presentation will go over basic principles in RLUIPA litigation, discuss how to minimize liability in this area and provide practice tips for local government lawyers to avoid RLUIPA claims.	Thomas Brown & Gregory Aker Moderator: Lori Grigg Bluhm
1:00PM to 2:00PM	Protecting Your Portfolio, Recovering Losses, and Improving Governance	A leading securities lawyer discusses emerging trends in shareholder litigation in the aftermath of the pandemic, and the best methods for recovering losses, improving corporate governance, and protecting fund portfolios.	Darren Robbins Moderator: Erich Eiselt
2:15PM to 3:15PM	Case Law Update	This presentation will provide an update on case law throughout the country that is relevant to local governments, primarily focusing on the circuit courts but touching on Supreme Court cases as well.	Doug Haney Moderator: Wynetta Massey
2:15PM to 3:15PM	National Preemption Trends in the Pandemic	This presentation will provide a snapshot of current and imminent preemption conflicts in the pandemic, share innovative approaches for responding, and embolden city attorneys. The presentation will also discuss what can be done to change the dynamic between state and local governments as well as opportunities for systemic change	Nestor Davidson, Kim Haddow & Laura Huizar Moderator: Mujeeb Shah-Khan
3:30PM to 4:30PM	Is It Worth The Time And Expense? Knowing When And Whether To Appeal	This presentation will provide a guide to appellate process and decision-making that will help government attorneys and clients in deciding whether to pursue an appeal.	Timothy Coates Moderator: Moses Johnson
3:30PM to 4:30PM	Intergovernmental Agreements between Tribes and Cities/Countries	This presentation will cover: land use cooperative agreements, intergovernmental agreements on gaming and non-gaming expansions, and the response to the COVID-19 health crisis.	Gregory Priamos, Steve Bodmer, John Plata & Rahsaan Tilford Moderator: Gregory Priamos

Tuesday, September 29, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
1:15PM to 2:15PM	Unions: Issues with CBAs, Union Dues, and Police Reform	The first part of this presentation will provide background and information on the state of the law regarding labor unions, collective bargaining, negotiations, and the impact of Supreme Court decision in Janus and the issue of union due. The second part of the presentation will focus on issues with police unions and the challenges with police reform.	Steven Serbalik & Barry Uhrman Moderator: Heidi Brown

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
1:15PM to 2:15PM	Strategies for Successfully Navigating Airport Land Use Issues	Airport sponsors and surrounding municipalities face unique land use and planning challenges to achieve compatible land development around their airports. In this session, attorney Paul Fraidenburgh will discuss how local jurisdictions can proactively manage compatibility issues such as noise and safety, as well the roles of the Federal Aviation Administration, airport sponsors, and local land use jurisdictions. This includes an in-depth discussion of funding strategies, best practices, and leading resources, as well as several case studies illustrating how to avoid dangerous pitfalls that could lead to millions of dollars in exposure for your municipality.	Paul Fraidenburgh Moderator: Mary Ellen Bench
2:30PM to 4:00PM	First Amendment: COVID-19 and Freedom of Religion and Freedom of Assembly	This presentation will explore some of the biggest First Amendment challenges associated with the pandemic including lawsuits filed by religious institutions against local governments for limiting the number of people who could gather due to public health concerns as well as issues associated with public protests of public health orders.	Kelly Moran, Ronak Patel & Amber Robinson Moderator: Paige Mims
2:30PM to 4:00PM	Data Protection, Privacy and CyberSecurity: A Primer for Local Government Attorneys	Data protection, privacy and cybersecurity are critically important concerns for local government lawyers. We will give an overview of the fundamentals from compliance, data protection and security, proactive policies to best practices for local government staff, as well as considerations for software and online security	Ben Griffith & Sven Kohlmeier Moderator: Chris Balch
4:15PM to 4:45 PM	Awards Ceremony	We will present the following awards: Marvin J. Glink Private Practice Local Government Attorney Award, Daniel J. Curtin Young Public Lawyer Award, Brown, Mulligan, Rocha Distinguished Public Service Award, William I. Thornton, Jr. IMLA Faculty Award, Outstanding State League Counsel Award, Brad D. Bailey Assistant City/County Attorney Award	Chuck Thompson & Patrick Baker
5:00PM to 6:00 PM	Awards Networking Reception	Join award recipients and all conference attendees for a virtual networking event.	

Wednesday, September 30, 2020

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
12:00PM to 1:00PM	WONK Networking Brunch	Sign up for a lunch (or breakfast depending on your time zone) based on subject matter and sit down with the subject matter expert to enjoy a meal and discuss areas of interest.	
1:15PM to 2:15PM	Small/Rural Communities: 2020 Census - How to Handle an Undercount for Your Growing Small Community	This presentation will discuss the authorizing statute for a recount and go over the nuts and bolts of how to handle the process. The presenters will also discuss how the recount worked for their community and the financial benefits to their communities, even after footing the cost of the special census. This presentation was developed by the Small / Rural Communities Group, but is open to all attendees.	Brad Cunningham & Shauna Billingsley Moderator: Doug Haney
1:15PM to 2:15PM	Negotiation and Enforcement of Force Majeure Clauses	<p>In every business transaction, extreme events, commonly referred to as “force majeure” events, can arise and prevent the impacted party from performing under a contract. For example, a natural disaster or . . . a pandemic can negatively affect a seller’s ability to deliver goods under a sale of goods agreement.</p> <p>Prior to the COVID-19 pandemic, few lawyers paid attention to the details of the force majeure provisions in their contracts. The world has obviously changed dramatically since March 2020, and lawyers everywhere are now scrambling to better understand this previously-overlooked issue. The impacts are potentially significant, both with respect to current contracts but also as lawyers are thinking about how to draft provisions for contracts going forward.</p> <p>This session will focus on several key issues relating to the interpretation and drafting of force majeure clauses, including:</p> <ul style="list-style-type: none"> • General risk allocation issues in contracts • The basics of force majeure provisions • How courts interpret force majeure provisions • Tips on drafting these provisions in new contracts • Circumstances where a contract lacks a force majeure provision 	Deborah Verdile & Lawrence Hsieh Moderator: Molly Shortall

TIME (EASTERN)	TITLE	DESCRIPTION	SPEAKER(S)
2:30PM to 3:30PM	Constitutional Potholes in the Post-COVID Resilience Roadmap	Making access to municipal facilities or services contingent upon face coverings, mandatory temperature screenings or contact tracing can implicate constitutional rights of privacy, association and commerce. While screening members of the public may be helpful in identifying sick individuals and preventing the spread of COVID-19, such screenings implicate privacy interests protected by the Fourth Amendment to the U.S. Constitution. This analysis is even more complicated when screenings are a condition to attendance or participation in a public meeting, like a city council meeting.	Matthew Richardson, Scott Smith & Robert Fabela Moderator: Doug Haney
2:30PM to 3:30PM	The 3P's for Successful P3's in Municipal Sustainability: Procurement, Partnership & Performance	As state after state continues to plow into the virtual horizon of municipal sustainability programs and climate response, existing infrastructure norms are being challenged and traditional methods of doing business don't work. Most municipal sustainability programs, including renewable energy partnerships, advancements in technical solutions for existing water, wastewater and solid waste infrastructure require non-traditional procurement and contracting, best value selection, life-cycle analysis, complex risk and revenue formula and dynamic and integrated performance based design, construction and operations contracts. This program will help keep municipal practitioners "ahead of the curve" as we turn the corner to sustainable municipal infrastructure, green energy and storage, advanced technology solutions for the "circular economy" capturing and reclaiming water, waste and other valuable municipal resources. From a survey of climate change and sustainability statutes affecting municipal business at the federal and state level to structuring municipal procurements and contracts that take advantage of and successfully implement these new opportunities at the local level, this program will get you as counsel ready to effectively represent the municipality in complex transactions with experienced companies that think globally but partner locally.	Steven Torres Moderator: Charles Brown

Canadian Program

October 1-2, 2020

Thursday, October 1, 2020

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
10:00AM to 11:15AM	10/1/20	Opening Remarks & COVID-related Contract and Liability Issues	This cross Canada panel will discuss selected legal issues for municipalities managing during COVID Public Health Emergency. Topic will include: emergency management planning, transition to remote work, public health orders and enforcement, and employment law challenges.	John Traves, Bonnie Andriachuk & Heather Salter Moderator: Byron Werry
11:15AM to 12:00PM	10/1/20	Environmental/Climate Change Laws and Policies Affecting Municipal Endeavors	This session will review recent Canadian laws and policies at the federal and provincial levels in the area of the environment and climate change. Implications of these laws and policies for municipal endeavours will be examined.	Chidinma Thompson
12:00PM to 12:20PM	10/1/20	Break		
12:20PM to 1:00PM	10/1/20	Has COVID opened the door to municipal P3s in Canada?	Canadian municipalities have been able to borrow money at low interest rates and have been slow to adopt P3s for municipal projects as a result. COVID has brought changes to credit ratings for some, and brought attention to challenges that municipalities need, like access to quality high speed internet and broadband services. Now may be the time to rethink P3s.	Mary Ellen Bench
1:00PM to 2:00PM	10/1/20	Challenges in the Current Municipal Insurance Market	We will explore the municipal experience in the hard insurance market and discuss strategies moving forward. Hear about the Halifax and Ottawa experiences, the insurance pool arrangements at the Region of Waterloo, and the views from the lens of a broker.	Wendy Law, David White, John Traves, Terry Patterson & Debra Arnold

Friday, October 2, 2020

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
10:00AM to 10:50AM	10/2/20	Contractual and Liability Issues in a COVID World	The global impact of the COVID-19 pandemic continues to unfold each week. From a legal perspective, the pandemic has raised many questions around contractual liability, personal injury claims, and insurance coverage, among other important issues. This session will explore these three areas of potential concern, in particular how existing principles may be applied to the current pandemic situation.	Nick Robichaud
10:50AM to 11:20AM	10/2/20	First Responders' Liability Issues in light of COVID	David Boghosian spent the first few months of the COVID-19 lockdown so engrossed in the implications of the pandemic on first responders' liability that he decided to write a book about it, and he did! His presentation will cover all aspects of potentially broadened liability for first responders, including the impact of COVID-19 on the execution of their duties, the scope of police powers to enforce COVID-19 related restrictions and the consequences of exceeding such powers, and the potential liability for institutional negligence in failing to provide adequate guidance to first responders in how to go about their duties safely in the time of a pandemic.	David Boghosian

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
11:20AM to 11:40AM	10/2/20	Break		
11:40AM to 12:50PM	10/2/20	Policing in a XXX Lives Matters World	<p>Moderated by David Boghosian, four senior counsel, two highly experienced in suing police and two regularly involved in defending police, will engage in a lively debate about whether there are concerns in Canada that merit a “defund the police” discussion, where the line ought to be drawn in terms of budgeting for police work on the one hand and community, youth and mental health resources on the other, and what reforms would best address the current perceived shortfalls in Canadian policing particularly with regard to the treatment of racialized citizens.</p> <p>G20 Class Action Settlement.: In June of 2010 Toronto hosted a G20 summit of world leaders. In what has subsequently been referred to by Ontario’s Ombudsman as the greatest violation of civil rights in Canadian history, over 1,000 peaceful individuals were “kettled” at numerous locations. Many were transported to a temporary detention centre and kept in what has been described as inhumane conditions. The result was two class actions, that have recently been settled. The settlement (which is scheduled for Court review in October) includes (a) financial compensation of up to \$16.5 million, (b) acknowledgment of responsibility by the Toronto Police Service, (c) expungement of records, and (d) numerous reforms to police practices when addressing mass demonstrations. Eric Gillespie, co-counsel for the plaintiffs in the case, will be discussing the settlement and its implications.</p> <p>Are Reforms Enough or is it Time to Defund?</p>	<p>Eric K. Gillespie, Julian N. Falconer, Eugene Ramirez & Peter Brauti</p> <p>Moderator: David Boghosian</p>
2:00PM to 3:00PM	10/2/20	IMLA Business		

ILGL Program

Institute For Local Government Lawyers

October 5-9, 2020

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
12:00PM to 12:45PM	10/5/20	ILGL Networking Lunch		
1:00PM to 2:30PM	10/5/20	Parliamentary Procedure and Sunshine Laws	Municipal and county governing boards are often populated with dedicated public servants who have little experience or knowledge of parliamentary procedure. Consequently, they may conduct their meetings informally, applying procedural rules loosely and perhaps even inconsistently. This relaxed approach might appear to work well when the board is dealing with noncontroversial matters. Yet when controversy arises – and it always does – the result can be multiple motions made in rapid succession and members who are confused about what they are being asked to vote on. In such situations, the presiding officer is likely to seek the advice of counsel. The Parliamentary Procedure presentation will arm local government attorneys with basic principles of parliamentary procedure, examine the legal sources of those principles, and review common procedural problems. The Sunshine Law session will highlight the basics of transparency for local governments, including public records and open meetings with a focus on hot topics such as electronic records, social media, and body-worn cameras.	Trey Allen & Frayda Bluestein
1:00PM to 2:30PM	10/6/20	Personnel & Employment Law and Fundamentals of Municipal Finance	<p>First presentation is on personnel and employment law. It often has been said that one of the largest components of a local government budget is for personnel and labor costs. While there are many similarities between guiding employers between the public and private sectors, public employers have some additional concerns not faced by their private employment counterparts. This presentation provides some road maps and guideposts to help navigate through the maze of federal and state statutory employment requirements along with discussion of some common issues that arise in public sector employment.</p> <p>The second presentation will be on municipal finance. Municipal attorneys are often asked, “Can we do this?”, when “this” relates to getting, spending, and borrowing money by their municipal clients. This session will consider the essential legal issues attendant to that question. We will discuss basic constitutional issues like public purpose, corporate purpose, and lending of the public credit; the theoretical distinction between taxes and fees; the legal ramifications of that distinction; and other limitations on the ways that municipalities can get and spend money. We will also briefly consider the role and types of municipal borrowing. Because the laws vary widely from state to state, the session will focus on issue spotting and general questions that the municipal attorney should consider when asked financial questions.</p>	Deidra Sullivan & Eric Shytle
1:00PM to 2:00PM	10/7/20	Negotiations	This presentation will outline the steps in preparing for a negotiation, discuss factors to consider in picking a strategy, and demonstrate both how to use and how to counter some of the most common negotiation tactics.	DeWitt “Mac” McCarley

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
1:00PM to 2:00PM	10/8/20	Land Use Law 101	For those new to land use law, this is a primer on the up to date basics you need to know to spot issues and to determine the appropriate course of action. For the experienced practitioner, this presentation not only serves as a refresher course, but also includes new points of law that have developed in recent years, which impact the basics.	Susan Trevarthen
1:00PM to 2:00PM	10/9/20	Caught In The Middle: Ethics and Government Practice	Whether you are an in-house attorney or outside counsel, you are no doubt aware that local government practice presents unique ethical issues that often arise unexpectedly. The local government client is comprised of innumerable constituent representatives that have varying levels of sophistication and understanding when it comes to the roles and responsibilities of the local government attorney. In addition, elected officials often have different ideas of ethical requirements than do administrative officials or (gasp!) local government attorneys. This presentation will describe a series of ethical challenges that resulted in the promulgation of Legal Ethics Guidelines as a means to educate the client on what we do, how we do, and why we do. ABA Model Rules 1.6 Confidentiality, 1.7 – Conflicts of Interest, 1.10 – Imputation of Conflicts, 1.11 – Special Conflicts for Former/Current Government Officers/Employees, 1.13 – Organization as a Client, 2.1 – Attorney as Advisor, 3.8 – Special Responsibilities of Prosecutors, 5.1 – Responsibilities of Supervisory Lawyers.	Wynetta Massey

Code Enforcement Program

October 12-16, 2020

TIME (EASTERN)	DATE	TITLE	DESCRIPTION	SPEAKER(S)
12:00PM to 12:45PM	10/12/20	Networking Happy Hour		
1:00PM to 2:00PM	10/12/20	Ethics in Code Enforcement: What Would You Do If...?	This program will discuss some common issues that challenge local government lawyers tasked with code enforcement under the Rules of Professional Conduct. While there are no easy answers to many of the questions or solutions to many of the issues, the program attempts to offer ideas as to how to analyze the issues and resolve the questions should they arise.	Chuck Thompson Moderator: Patricia Link
1:00PM to 2:00PM	10/13/20	Code Enforcement - Themed Case Law Update	Case law update focused on code enforcement issues.	Sherri Russell Moderator: Patricia Link
1:00PM to 2:00PM	10/14/20	Selective Enforcement Issues	Issues, including selective enforcement claims, that arise when exercising discretion in code and regulatory enforcement and ways to help your client avoid these issues.	Patricia Link
1:00PM to 2:00PM	10/15/20	Encampment Clean-Ups	Philadelphia's encampment closure model that uses a collaborative approach (Code Enforcement/Social Services/community input) to close at least four major encampments (100+ people a piece) in an area ravaged by drug addiction	Kristin Bray Moderator: Patricia Link
1:00PM to 2:00PM	10/16/20	Noise Ordinances in Urban Districts	Different approaches to noise ordinances in various urban/mixed use areas and the pros and cons of those various approaches	Hilary Taylor Moderator: Patricia Link