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INTERNAT

An Opportunity to Compare Local Government Law in Spain and the U S

Take a moment, close your eyes, and picture yourself in Madrid, sitting outside at a café, enjoying a delicious paella, sipping on a creamy café con leche, gazing fondly across the Plaza Mayor, and wondering silently, where do Spanish local governments derive their authority? Now, I know what you're thinking, shouldn't I pair my paella with a dry rosé from Navarra or maybe an inexpensive red Rioja or other medium-bodied tempranillo or garnacha? Although a valid question, the answer is not that simple and, thankfully, you have plenty of time to decide another day.

What we do want you to start thinking about, however, is a new and exciting program that IMLA is putting together through a collaboration between the International Steering Committee and La Asociación de Letrados de Entidades Locales de España, or The Spanish Local Government Lawyers Association (ALEL). ALEL is a Spanish nonprofit organization whose mission is similar to IMLA, to serve the interests of local government lawyers in Spain through the promotion and organization of conferences, seminars, and legal workshops.

For some time, ALEL has been working toward a collaborative program with local government attorneys across Europe and North America. Therefore, it was no surprise when the President of ALEL, Jesús Crespo, reached out to our very own Chuck Thompson way back in 2019 PC (Pre-COVID), inviting IMLA to participate in an international conference in Madrid. The conference included attorneys from France, Italy, England, Austria, USA, and, of course, Spain speaking about each country's legal structure and qualifications to practice law.

That exchange and a year of friendly discussions led to the formation of a working group between IMLA and ALEL, the purpose of which is to identify and publicize legal issues of mutual significance. The IMLA/ALEL working group is composed of the following eight members:

ALEL

Lourdes Morate Martín, Attorney at Law Oviedo City Council; Board Member of ALEL.

Celia Guillot Rabanal, Head of the Administrative and Legal Support Office Barcelona County Council.

Francisco Javier Durán García, Attorney at Law Villafranca de los Barros City Council; Board member of ALEL.

Jesús Ma Royo Crespo, Attorney at Law Zaragoza County Council; Presidnet of ALEL

IMLA

Elsa Jaramillo-Velez, Assistant City Attorney, City of Hialeah, Florida

Deanna Shahnami, Associate Counsel, IMLA

Chris Balch, Principal, Balch Law Group; City Attorney, Brookhaven, Georgia and Member, IMLA Board of Directors

Tyler Wallach, Assistant City Attorney, City of Fort Worth, Texas; Co-Chair of the IMLA International Steering Committee

(Our thanks to Elsa Jaramillo and Deanna Shahnami for their work in translating these articles).

Although not a member of this working group, a special thanks goes out to Ben Griffith, Co-Chair of the IMLA International Steering Committee, who has worked tirelessly over the years to expand the international reach of IMLA and without whom none of this would be possible.

Over the next year, IMLA and ALEL members will be treated to a variety of interesting topics, the first of which will be a primer on the governmental structures of the USA and Spain and the authority that local governments derive from those systems. From there, future topics may include (i) comparative studies of contributory negligence, land use, the protection of natural spaces and parks, governmental immunity and liability, and employment-related issues; and (2) the importance of certain legal duties, including the duty of care and duty to warn. The IMLA/ALEL working group is working closely with each of their respective organizations to determine the best and most effective means of presenting these topics, which may include articles in IMLA's Municipal Lawyer magazine and ALEL's website (http://letradosentidadeslocales.es/), conferences, seminars, published papers, and so on.

If you are interested in collaborating with Spanish attorneys on any of the topics listed above, please contact IMLA. We truly believe that this will be an incredible experience for members of both IMLA and ALEL, and we hope that you take an interest in learning more about international legal issues.

And if you are still wondering, the answer is quite clearly a medium-bodied tempranillo.

IONAL

By: Tyler Wallach, Assistant City Attorney, Fort Worth, Texas
Co-Chair, IMLA International Steering Committee

Tome un momento, cierre los ojos e imagínese en Madrid, sentado afuera de un café, disfrutando de una deliciosa paella, bebiendo un cremoso café con leche, mirando con cariño la Plaza Mayor y preguntándole en silencio, ¿de dónde derivan su autoridad los gobernantes locales españoles? Ya sé lo que está pensando, ¿no debería comer mi paella con un vino rosado seco de Navarra o tal vez con un Rioja tinto barato u otro tempranillo o garnacha de cuerpo medio? Aunque es una pregunta válida, la respuesta no es tan simple y, afortunadamente, tiene mucho tiempo para decidir otro día.

Sin embargo, queremos que empiece a pensar en un programa nuevo y emocionante que IMLA está organizando a través de una colaboración entre el Comité Directivo Internacional y La Asociación de Letrados de Entidades Locales de España, o la Asociación de Abogados de Gobiernos Locales de España (ALEL). ALEL es una organización española sin fines de lucro cuya misión es similar a IMLA, servir los intereses de los abogados de gobiernos locales en España a través de la promoción y organización de conferencias, seminarios y talleres legales.

Durante algún tiempo, ALEL ha estado trabajando en un programa de colaboración con abogados del gobierno local en Europa y América del Norte. Por lo tanto, no fue una sorpresa cuando el presidente de ALEL, Jesús Royo, se acercó a nuestro propio Chuck Thompson en 2019 PC (Pre-COVID), invitando a IMLA a participar en una conferencia internacional en Madrid. La conferencia contó con abogados de Francia, Italia, Inglaterra, Austria, Estados Unidos y, por supuesto, España hablando sobre la estructura legal y las requisitos de cada país para ejercer la abogacía.

Ese intercambio y un año de amistosas discusiones llevaron a la conformación de un grupo de trabajo entre IMLA y ALEL, cuyo propósito es identificar y dar a conocer asuntos legales de importancia mutua. El grupo de trabajo IMLA / ALEL está compuesto por los siguientes ocho miembros:

Aunque no es miembro de este grupo de trabajo, un agradecimiento especial para Ben Griffith, Copresidente del Comité Directivo Internacional de IMLA, quien ha trabajado incansablemente durante años para expandir el alcance internacional de IMLA y sin quien nada de esto sería posible.

Durante el próximo año, los miembros de IMLA y ALEL tratarán una variedad de temas interesantes, el primero de los cuales será una introducción a las estructuras gubernamentales de EE.UU. y España y la autoridad que los gobiernos locales derivan de esos sistemas.

A partir de ahí, los temas futuros pueden incluir (1) estudios comparativos de negligencia contributiva, uso de la tierra, protección de espacios naturales y parques, inmunidad y responsabilidad gubernamental y temas relacionados con el empleo; y (2) la importancia de ciertos deberes legales, incluido el deber de cuidado y el deber de advertir. El grupo de trabajo IMLA / ALEL está en estrecha colaboración con cada una de sus respectivas organizaciones para determinar la mejor y más eficaz forma de presentar estos temas, que pueden incluir artículos en la Revista IMLA y el sitio web de ALEL (http://letradosentidadeslocales.es/), conferencias, seminarios, y publicaciones en revistas especializadas.

Si está interesado en colaborar con abogados españoles en cualquiera de los temas enumerados anteriormente, comuníquese con IMLA. Realmente creemos que esta será una experiencia increíble para los miembros de IMLA y ALEL, y esperamos que se interese en aprender más sobre cuestiones legales internacionales.

Si todavía se lo está preguntando, la respuesta es claramente un tempranillo de cuerpo medio.

ALEL

Lourdes Morate Martín, Abogada del Ayuntamiento de Oviedo; Vocal de la Junta Directiva de ALEL.

Celia Guillot Rabanal, Responsable de la Oficina de Apoyo Administrativo y Jurídico de la Diputación de Barcelona.

Francisco Javier Durán García, Abogado del Ayuntamiento de Villafranca de los Barros; Vocal de la Junta Directiva de ALEL.

Jesús Ma Royo Crespo, Abogado de la Diputación Provincial de Zaragoza; Presidente de ALEL.

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Chris Balch, Propietario de Balch Law Group; Abogado de la Ciudad, Brookhaven, Georgia [marcador de posición]; Miembro de la Junta de IMLA.

Tyler Wallach, Abogado Asistente de la Ciudad, Ciudad de Fort Worth, Texas; Copresidente del Comité Directivo Internacional de IMLA.

NEW HOR

Someone once said that dreams don't become true—but they can. And it is true that the thoughts in our head when we sleep are ideas, visions, and places we want to reach, and we want them to flourish over time.

William Shakespeare was right when he said: "We are such stuff as dreams are made on, and our little life is rounded with a sleep."

Since the creation of the **Spanish Local Government Lawyers Association (ALEL),** what we do is dream, think, and draw ideas from thin air that we want to make a reality. And fortunately, we have the possibility of carrying out many of those expectations and transforming them into activities, conferences, seminars, and publications.

In just five years, we have climbed some mountains that were once impossible to climb, seeing the difficulties of the challenge from the valley below and finding our own path to the top.

There are still many dreams that seem impossible to achieve, but we have another tool, a key that allows us to open the box when it is locked. It is precisely this ingredient that has enabled us to celebrate our collaboration with the **International Municipal Lawyers Association (IMLA),** the most prestigious and important association of Local Government Lawyers in the United States and Canada.

Our collaboration will begin by publishing articles that will explain our respective local legal systems and their main characteristics and differences, to enable us to better understand the realities of local administration and to observe the problems of our neighbors and fellow citizens. Although the distance between us is measured in kilometers or miles, our legal systems are more similar than we think when looking at the management and provision of public services.

We want to take advantage of this collaboration through future activities carried out by IMLA and ALEL, allowing Local Government Lawyers to take advantage of the ideas and proposals that may be raised from our associations.

All that remains is to finish these words, thanking the people who have made it possible for this dream to become a reality. To all the associates and members of the ALEL Board of Directors and especially to the working group created specifically to implement this task **Lourdes Morate** (City Council Attorney of the Oviedo City Council), Celia Guillot (Head of the Administrative Office and Legal Support of the Provincial Council de Barcelona) and **Javier Durán** (Town Hall Lawyer of the Villafranca de los Barros City Council).

We also thank those responsible at IMLA for their willingness to work with us, and special mention to **Elsa Jaramillo** (Labor and Employment Attorney, City of Hialeah, Florida), **Deanna Shahnami** (Associate Counsel at IMLA), **Chris Balch** (Principal, Balch Law Group, Brookhaven, Georgia and IMLA Director) and finally to our dear **Tyler Wallach** (Senior Assistant City Attorney, City of Fort Worth, Texas) for his enthusiasm and for believing and promoting this project, our project, from the United States.

We believe that we can safely say that WE HAVE A DREAM.

Zaragoza on December 4th, 2020

Jesús Mª Royo Crespo
President of The Spanish Local Government Lawyers Association

IZONS

Alguien dijo en una ocasión que los sueños no se hacen realidad; son verdaderos. Y es cierto que esos pensamientos que tenemos en nuestra cabeza cuando dormimos son ideas, visiones, lugares a los que queremos llegar y además queremos que existan y se perpetúen en el tiempo.

Qué razón tenía *William Shakespeare cuando decía que: "Somos del mismo material del que se tejen los sueños, nuestra pequeña vida está rodeada de sueños".*

Desde la creación de la **Asociación de Letrados de Entidades Locales de España (ALEL),** lo que hacemos es soñar, pensar, dibujar ideas en el aire que queremos que se conviertan en realidad y afortunadamente tenemos la posibilidad de llevar a cabo muchas de esas expectativas, transformándolas en actividades, jornadas, seminarios, coloquios, publicaciones.

En apenas cinco años hemos subido algunas montañas que eran imposible de ascender, que las veíamos desde el valle viendo la dificultad del reto, pero hemos ido encontrando el camino que nos ha llevado hasta la cima.

Sigue habiendo muchos sueños que parecen imposibles de alcanzar, pero tenemos algo que seguimos teniendo, la llave que permite abrir la caja donde están encerrados y no es otra cosa que ILUSIÓN.

Es precisamente este ingrediente el que ha conseguido que hoy podamos celebrar nuestra colaboración con la **International Municipal Lawyers Association** (IMLA), la asociación más prestigiosa e importante que integra a los más acreditados Letrados Locales de Estados Unidos y Canadá.

Esta colaboración se centrará en una primera fase en la redacción de artículos que explicarán nuestros respectivos ordenamientos jurídicos locales, características principales, diferencias, todo ello con la finalidad de conocer mejor la realidad de las administraciones locales y observando que los problemas de nuestros vecinos y conciudadanos son más parecidos de lo que creemos y que la distancia es únicamente en kilómetros o millas pero no en la gestión y prestación de los servicios públicos.

Por ello, queremos aprovechar esta colaboración para que en futuras actividades que tanto IMLA como ALEL vayan a realizar, las entidades locales en las que los Letrados Públicos Locales desarrollamos nuestras funciones se impliquen y aprovechen las ideas y propuestas que desde nuestras asociaciones se puedan plantear.

No queda sino finalizar estas palabras, agradeciendo a las personas que han hecho posible que este sueño pueda convertirse en realidad. A todos los asociados y miembros de la Junta Directiva de ALEL y especialmente al grupo de trabajo creado específicamente para implementar esta tarea **Lourdes Morate** (Letrada Consistorial del Ayuntamiento de Oviedo), **Celia Guillot** (Responsable de la Oficina Administrativa y de Apoyo Jurídico de la Diputación de Barcelona) y **Javier Durán** (Letrado Consistorial del Ayuntamiento de Villafranca de los Barros).

También agradecer a los responsables de IMLA su disposición a trabajar con nosotros, y mención especial para **Elsa Jaramillo** (Labor and Employment Attorney City of Hialeah, Florida), **Deanna Shahnami** (Associate Counsel at IMLA), **Chris Balch** (Principal, Balch Law Group, Brookhaven, Georgia and IMLA Director) y finalmente a nuestro querido **Tyler Wallach** (Senior Assistant City Attorney, City of Fort Worth, Texas) por su entusiasmo y por creer e impulsar desde Estados Unidos este proyecto, nuestro proyecto. Creemos que podemos decir sin miedo a equivocarnos que WE HAVE A DREAM.

En Zaragoza a 4 de diciembre de 2020