

2021 Mid-Year Seminar

Online | April 19-23, 2021



Monday, April 19, 2021

Please note the program is tentative and subject to change
All time listed are Eastern Time.

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
1:45PM to 2:15PM		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 new Virtual Seminar and networking opportunities.	Chuck Thompson & Tyrone Cooper
2:30PM to 3:30PM	Seminar	Redevelopment and TIFs	This presentation will provide a general overview of tax increment financing (TIF), how it can be utilized for redevelopment purposes and will include examples of projects.	Ashley Ulbricht Moderator: Paige Mims
2:30PM to 3:30PM	Section 1983	Getting Younger: A Guide To Abstention, Rooker-Feldman And Other Defenses To Federal Civil Rights Actions That We All Learned In Law School, But May Have Forgotten	This presentation will discuss of some of the more technical, but extremely helpful, defenses that arise in federal civil rights cases.	Ted Xanders & Nadia Sarkis Moderator: Mujeeb Shah-Khan
3:45PM to 4:45PM	Section 1983	The Future of Qualified Immunity	This presentation will provide both legal and practical information about the future of qualified immunity. The first presenter will identify legal trends in the doctrine throughout the circuits. The second presenter will discuss practical aspects of handling a qualified immunity case, including dealing with the press.	Elizabeth Tisher & Chris Balch Moderator: Brachah Goykadosh
3:45PM to 4:45PM	Seminar	Hot Topics in Employment Law: Vaccination Do's and Don'ts	This presentation will discuss issues associated with employees returning to in person work questions related to vaccines. Can they be mandated? What about incentives? The program will cover issues associated with Title VII, the ADA, GINA, and possible liability if someone gets sick.	Joanie Winters & Deidra Sullivan Moderator: Victoria Huynh
5:00PM to 6:00PM	Networking	Welcome Reception/Virtual Cocktail Hour	Participate in a virtual networking opportunity and have a drink (bring your own) with your colleagues from around the U.S. and Canada!	

Tuesday, April 20, 2021

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
12:00PM to 12:45PM	Networking	State/Province Brunch	Sign up for a lunch (or breakfast depending on your time zone) with colleagues from your state. Attendees will participate in a virtual networking opportunity.	
1:00PM to 2:00PM	Seminar	Ethical Issues for Municipal Lawyers in Evolving Organizations	Local governments are innovating and changing at a rapid pace, even more so now during COVID than ever before. Agile project management, adaptive leadership, and other new management styles ask municipal lawyers to integrate more fully into the executive team. This presentation will explore how municipal attorneys can become more adaptive, flexible, collaborative, or entrepreneurial in spirit while fulfilling their ethical obligations under the ABA Model Rules.	Lisa Glover Moderator: Chuck Thompson

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:15PM to 3:15PM	Seminar	Public Infrastructure, Policy, Practice and Projects: Preparing Municipal Counsel for Renewed Funding & Building Opportunities in a New Era	As attention slowly turns from managing the pandemic to economic recovery, public infrastructure spending from federal and state government is a logical and long overdue component. Much like the last federal stimulus package, the American Recovery and Reinvestment Act, the next round of federal funding is sure to present opportunities, challenges and complex compliance issues. Whether it is a "shovel ready" mandate, alternative project delivery, or P3 project approach, public infrastructure funding will present challenges for local counsel. This program will explore lessons learned from ARRA, introduce effective procurement, contracting, finance and contract administration frameworks unique to public construction and present "traps for the unwary". The program will touch on water, wastewater, transportation and buildings projects alike. The most up-to-date status of current and anticipated federal infrastructure legislation will be highlighted as you plan your approach to your next public project.	Steven Torres & Megan Bridges Moderator: Andrea Leslie-Fite
2:15PM to 3:15PM	Section 1983	Police Officer Misconduct Litigation: Big Picture Tips from Defense and Plaintiff's Side	This presentation will go over a variety of issues germane to police misconduct cases from inception through trial. It will provide the perspective of both the defense and plaintiff's attorney.	Nieve Anjomi & Anna Benvenuti Moderator: Alan Zimmet
3:30PM to 4:30PM	Seminar	Affordable Housing	This presentation will provide a brief history of affordable housing and local governments' role from both a U.S. and Canadian perspective. It will then discuss how local governments are responding to the crisis.	Mary Ellen Bench & Brian Connolly Moderator: Patricia Link
3:30PM to 4:30PM	Section 1983	Jails and the Coronavirus	This presentation will discuss the overlap between COVID, deliberate indifference, and appropriate medical healthcare. It will also discuss what we can anticipate will come next from lawsuits and defenses to those suits as well as possible federal government oversight.	Kelly Moran, Jeb Brown & Don Leach Moderator: Craig Straw

Wednesday, April 21, 2021

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
12:00PM to 12:45PM	Networking	WONK 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. Attendees will participate in a virtual networking opportunity.	
1:00PM to 2:00PM	Section 1983	Section 1983: Preparing a Police Officer for Deposition Testimony	Many police officers are familiar with testifying in a courtroom setting, usually as a witness for the prosecution. However, being deposed as a defendant (or even a witness) in a federal Section 1983 action is a very different experience with which most police officers are not familiar. This requires that municipal counsel to not only prepare his or her officer for the substance of the officer's testimony, but also to correct behaviors an officer may have from previous experiencing testifying. This presentation will go through the proper way to prepare police witnesses for this type of testimony by discussion and through re-enactment of different preparation tips scenarios. Topics that will be covered include gaining the trust of your own reluctant, or even hostile, police defendant or witness; explaining to police witnesses the differences between civil and criminal testimony; how the FRCP and FRE control what happens in the deposition; and the role of counsel in a federal deposition; and preparing witnesses for the tricks and techniques of the questioner.	Beth Hoffman & Ian Williams Moderator: Cynthia Withers
1:00PM to 2:00PM	Seminar	State League Meeting	Given the gravity of the pandemic and so many other challenges, local leaders need a voice at state capitols more than ever. But many state legislators are proposing legislation to deny communities' ability to advocate, which would deprive legislators of valuable information on the most pressing issues of our time. Our democracy doesn't demand that we always agree, but we need a robust policy dialogue that doesn't discriminate based upon a particular viewpoint. Bill and Scott will discuss the Texas efforts to stop local input and how the Texas Municipal League and others have fought to stop them. This meeting is intended for state league / association counsel only.	Bill Longley & Scott Houston Moderator: Amanda Stanley, Lori Lein, Morgain Patterson & Kelly Pridgen

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:15PM to 3:15PM	Seminar	Appellate Advocacy Practice Tips	The presentation will provide tips for municipal appeals, from opening brief to oral argument. The presentation will focus on unique considerations in practice before the appellate courts, using examples from their own cases and the (sometimes unfortunate) experiences of other appellate advocates.	Justin Houppert & Danielle Goldstein Moderator: Wynetta Massey
2:15PM to 3:15PM	Section 1983	Failure To Train Theory: What You Should Know in Sec. 1983 Cases	The seminal case of <i>City of Canton, Ohio v. Harris</i> , 489 U.S. 378 (1989) birthed and shaped what is now known as the “failure to train” theory of municipal liability. From 1989 to the present, the “failure to train” theory and analysis have continued to evolve. This presentation will provide an overview of the theory and its analysis through a real-life case study. The presentation will also serve as a primer on what municipal lawyers and lawyers who represent municipalities should know when faced with a “failure to train” case.	Staci Miller & Joshua Foster Moderator: Ruth Masters
3:30PM to 4:30PM	Seminar	Update on the Aftermath of <i>Reed v. Town of Gilbert</i>	This presentation focuses on off-premise sign regulations in a post- <i>Reed</i> world. In other words, why a court may strike down your off-premise sign regulations and, if that happens, what to do next.	Patricia Link & Erika Lopez Moderator: Lori Grigg Bluhm
3:30PM to 4:30PM	Section 1983	Protest Cases	This presentation will discuss the nuts and bolts of litigating protest cases. Specifically, the presenters will focus on the beginning and resolution of these types of cases. Topics to be addressed include litigating on the offense even before a lawsuit is filed; successfully raising a qualified immunity defense on dispositive motions; resolving a case via settlement; skillfully using social media to impeach a plaintiff; and how to successfully present a protest case at trial to a jury and obtain a defense verdict.	Brachah Goykadosh & Dara Weiss Moderator: Thomas Powers

Thursday, April 22, 2021

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
1:15PM to 2:15PM	Seminar	Getting Government Moving In A Global Pandemic	This presentation will include a multidisciplinary team involving Code and Public Nuisance – Board of License and Inspection Review (BLIR); Appeals Unit and will discuss how to advise local governments and Boards on how to go virtual under Sunshine Act/due process; and the Legislative Unit will discuss the orders/legislative side.	Joanna Klein, Kelly Diffily & Lewis Rosman Moderator: Kimberly Rehberg
1:15PM to 2:15PM	Section 1983	Monell Liability and Discovery Issues	This presentation will provide an overview of municipal liability pursuant to Monell and a discussion of discovery and proof. The presentation will also go over the “Reptile Theory” and other similar tactics used by the Plaintiffs’ bar in Monell claims.	Daniel Peterson & Sean Richmond Moderator: Erika Reis
2:30PM to 4:00PM	Seminar	Telecommunications Update: Out With the Old and In With the New: How President Biden’s Election Will Change Federal Communications Policy Affecting Local Government Authority and Funding Opportunities	This presentation will share insights on what local governments can expect from the FCC and other federal initiatives under the Biden administration. It will also provide updates on litigation over major actions taken by the Trump-era FCC that preempted local government authority and jeopardized local revenue streams, including the Small Cell Order and the Cable In-Kind Order, among other hot topics.	Gail Karish, Gerard Lederer & Cheryl Leanza

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
2:30PM to 4:00PM	Section 1983	Social Media, First Amendment, and Employee Discipline	The first part of this presentation will go over social media policies and specific legal issues that arise in this context, including employee discipline. The second part of the presentation will cover the nuts and bolts of employee discipline litigation in the context of First Amendment rights, including issues related to speech, association, and assembly.	Julie Tappendorf & Allison Bussell Moderator: Deidra Sullivan
7:00PM to 8:00PM	Networking	Networking Reception Mixology Event	Join owner and bartender Shannon Healy of Alley Twenty Six for a virtual cocktail experience. Follow along at home as we prepare three cocktails live. Feel free to ask any questions as we shake, stir and sip our way through the evening that has been kindly sponsored by Best Friends Animal Society. Prior to the event, we will send out a list of ingredients that attendees will need for the drinks.	

Friday, April 23, 2021

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
12:50PM to 1:50PM	Seminar	A Contract Management Framework for Public Entities	Municipal contracts are often managed by multiple units without an enterprise-wide approach. Wide disparity between contract terms leads to cost overruns, contract inflexibility, below par services delivery and even violation of local laws, among other problems. The City of Atlanta will share its framework that consolidates and fully and seamlessly merges with the City's procurement function, from beginning to end.	Chandra Houston, Camille Small-Simon & Kristen Rectenwald Wang Moderator: Thomas Cameron
12:50PM to 1:50PM	Section 1983	Ethical Considerations in Representing the Police	This presentation will discuss why lawyers represent police officers in civil rights actions; what is the value of defending them, and what the personal and professional challenges are.	Patricia Miller & Karen Griffin Moderator: Laetitia Brown
2:05PM to 3:05PM	Seminar	Lawyer Well-being During the Age of the Coronavirus	Lawyers frequently struggle with mental health, but never more than during the very stressful, isolating, and technology centered era of the Coronavirus. This program explores the obstacles and solutions to staying fit to practice law. This course overviews the many resources that lawyers have to take care of themselves and to be fit for the practice of law pursuant to their ethical duties and comply rules of professional conduct. The course clarifies the rules and law regarding how lawyers can take care of one another and duties. The program covers staying fit and avoiding burnout, depression, or anxiety problems. It also covers duties to report and wellness resources for lawyers and judges. It overviews the pitfalls of burnout, anxiety, depression, secondary trauma, and addiction. It looks at how to establish healthy boundaries and other tips for maintaining wellness as an attorney.	Chris Ritter Moderator: Robin Cross
3:20PM to 4:50PM	Seminar	Supreme Court Update	The 2020 Supreme Court term is shaping up to be a blockbuster with many cases that are relevant to local governments. Hear from prominent Supreme Court practitioners about the impact of these cases for local governments. These Supreme Court experts will also talk about general issues before the Court and how those may impact local governments.	Paul Clement, Amy Howe & Neal Katyal Moderator: Lisa Soronen
5:00PM to 6:00PM	Networking	Networking & Awards Reception	Network with your colleagues from around the U.S. and Canada via Wonder. Bring your own beverage.	

Monday, April 26, 2021

TIME (Eastern)	TRACK	TITLE	DESCRIPTION	SPEAKERS
1:00PM to 2:00PM	Seminar	Small / Rural Communities Presentation: Municipally Owned Utilities	This program will discuss how public power providers are increasingly coming into contact with home-based power production facilities. We will cover what public power and home-based power production are, and also discuss the legal considerations that should be made by public power providers	Drew Graham Moderator: Allen Garner