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THE SUM OF THE PARTS: MUNICIPALITIES TAKE AIM AT GHOST GUNS

GUN CONTROL ACT OF 1968•MAGAZINE SIZE LIMITS BACKGROUND CHECKS•MAYOR AND CITY COUNCIL OF BALTIMORE V. POLYMER80 LLC LIMITATIONS ON MAGAZINE SIZE•SECOND AMENDMENT•UNDETECTABLE FIREARMS ACT OF 1988•ASSAULT WEAPONS BANS•PROTECTION OF LAWFUL COMMERCE IN ARMS ACT•CITY OF CINCINNATI V. BERETTA USA, INC.•STRICT SCRUTINY PEOPLE OF CALIFORNIA V. POLYMER80 LLC•RED FLAG LAWS•FEDERAL FIREARMS ACT OF 1938 HELLER V. DISTRICT OF COLUMBIA•ATF FINAL RULE•CONDITIONS ON CONCEALED OR OPEN CARRY•MCDONALD V. CITY OF CHICAGO•STATE PREEMPTION•NEW YORK PISTOL AND RIFLE ASSOCIATION V. BRUEN•GUN SHOW LOOPHOLE POLYMER80 V. SISOLAK

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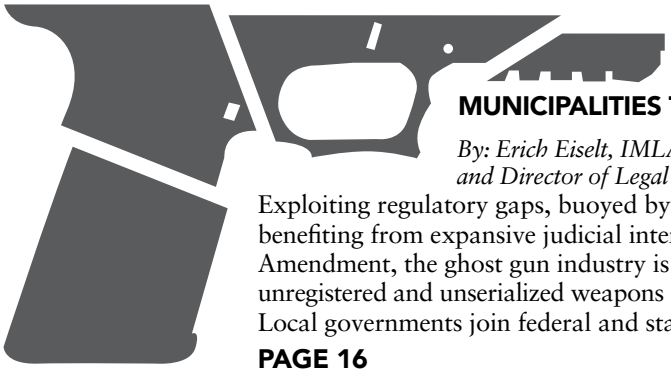
CONTENTS

MARCH / APRIL 2023

HOMELESSNESS IN THE BIG CITY: A CASE STUDY IN FINDING LEGAL AND PRACTICAL SOLUTIONS FOR A COMMUNITY
By: Marc Smith, Deputy City Attorney, City of Colorado Springs, Colorado
After an unsuccessful effort to stop panhandling on city streets, Colorado Springs focused on a much more holistic approach to dealing with the city's homeless population, educating law enforcement, allocating social workers, and providing adequate beds to serve the unhoused. Those efforts are making a difference.
PAGE 6

THE FOLLOW-THROUGH MATTERS: CONTRACTS WITH GOVERNMENTAL ENTITIES MUST BE "PROPERLY EXECUTED" NOW TO WAIVE IMMUNITY LATER
By: Riley Zoch, Class of 2024, Baylor University School of Law
Governmental waiver of immunity when contracting is not as straightforward as it may seem. A number of perquisites apply, and care must be taken to ensure, or avoid, execution that will bind the locality. The author—IMLA's $5,000 Local Government Law Scholarship winner for 2023—explains.
PAGE 11



THE SUM OF THE PARTS: MUNICIPALITIES TAKE AIM AT GHOST GUNS
By: Erich Eiselt, IMLA Assistant General Counsel and Director of Legal Advocacy, Rockville, Maryland
Exploiting regulatory gaps, buoyed by pro-firearm politicians, and benefiting from expansive judicial interpretations of the Second Amendment, the ghost gun industry is placing thousands of unregistered and unserialized weapons on America's streets. Local governments join federal and state efforts to fight back.
PAGE 16

DEPARTMENTS

20 NEW LAWYERS
Balancing Work and Personal Life… Right
By: Todd Sheeran, City Attorney, Herriman, Utah, and Blake Pennington, Assistant City Attorney, Fayetteville, Arkansas
Challenges to being a public servant-and-spouse-and-parent-and more.

24 LISTSERV
Oh No! Another Election!
By: Brad Cunningham, Municipal Attorney, Lexington, South Carolina
Upholding the fine points of local ballot box protocol.

26 AMICUS
What would a Changed "Undue Hardship" Test Under Title VII Mean for Local Governments?
By: Amanda Karras, IMLA Executive Director and General Counsel
An upcoming SCOTUS ruling may may require greater religious accommodation.

36 INSIDE CANADA
Implied Contracts, Injurious Affection, Unowned Property, and More
By: Monica Ciriello, Director of Municipal Law and Licensing Compliance, City of Hamilton, Ontario
Recent cases of interest.

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EDITOR
Erich R. Eiselt

ART DIRECTION AND PRODUCTION
Trujillo Design

MARKETING
Caroline Storer

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NEW LAWYERS

TODD SHEERAN,
City Attorney,
Herriman, Utah and
BLAKE PENNINGTON,
Assistant City Attorney,
Fayetteville, Arkansas

Balancing Work and Personal Life... Right

We recently asked the IMLA new lawyer group what topics they would like to discuss in our bimonthly meeting. One reoccurring sentiment was for a discussion on the notorious battle balancing personal life with work life. While we have some thoughts on how we balance our personal and work lives, we wanted to get a broader understanding of how other municipal lawyers perform this constant-and-always-changing balancing act.

To get some contrasting opinions, we emailed the IMLA new lawyers listserv and IMLA's Board of Directors with the following question: How do you balance your personal and work life? The response was incredible. In fact, after we cut and pasted each response into a word document, the document was seven pages long! After reviewing the responses, we found some common themes and great tips.[1]

But before we get into the responses, we need to express that the work-life balance is unique to everyone, and some of us have really struggled with this concept. Several members stated things like: "The 'balance' of personal and work life is always hard," and "our family calendar was chaotic. I rarely felt balanced." Even a young lawyer didn't initially respond "because I haven't found balance yet." And an experienced member said, "older lawyers do not know how and have never encountered a balance … until recent years."

Why is the work-life balance so hard? In two words: workaholic expectations. A member gave an example, "My senior partner at my second law firm worked seven days a week… [H]e did not wear a suit on Saturdays and would not come to the office until after church on Sundays (otherwise, you could set your watch by his arrival at 7:30 am and departure at 6:30 pm)."

This is an all-too-common theme in our profession, and many of you said you feel like you're always on the run. "You sleep when and where you can. You pay the bills on the run. You paint the kitchen on the run. … It's impossible. It's exhausting. Even panic-inducing." But, if you do it right, "it's worth it. And, that all too soon, it ends. And you will wish for those days again every now and again."

We wish we could paste all the fantastic responses we received but we have a word limit. Accordingly, we will attempt to summarize the responses into a few key takeaways, with the understanding that "perfection is not attainable." Thus, whatever stage in life you are in, here are some suggestions for better balancing your personal and work life.

Food. Surprised that this was the most common theme? We were. The food discussion is multifaceted, though. First, "keep a regular meal schedule as much as possible." This will help you "be alert during meetings" and "is good for your overall health and reduces stress." As one member put it, mealtime is "sacred." Second, eat with loved ones. Out-of-work relationships are essential for your mental health. The sharing of food has brought people together since the beginning of time. To build those relationships, one member has occasional lunch gatherings with friends. Another member "makes it a point to eat dinner with her family on nights she does not have board meetings." Whether you eat with family, friends, or current/former coworkers, nourishing those relationships is as important as nourishing your body.

Exercise and personal care. Many of you emphasized the importance of exercise and personal care. This is because "[o]ver time, I've learned that self-care must come first. I can't give to my partner, to my kids, to the City, to my clients, if I haven't made critical investments in myself first." Often this "helps to manage stress and keep things in perspective." The exercise and personal care comments were mainly specific to the members' needs - some get a monthly massage, some go to yoga, and others participate in exercise classes. But we gathered that whether you run, walk, bike, or hike, or do it before, during, or after work, the most important thing is to make time to take care of yourself.

Another important aspect of personal care is sleep. "I've learned that sleep is critical. I always feel more connected at both work and in my personal life when I'm rested. If I'm mentally and physically exhausted, I feel like everything is falling apart." Unfortunately, getting the recommended eight hours of sleep at night

can be a pipe dream with all of the things going on in our lives. Sometimes an afternoon power nap is the solution. One member told us, "I… keep a camping pad, pillow, and blanket in my office for the occasional 20-30 minute nap in the afternoon. It does wonders for my attitude and focus."

Leave work at work. In an article Todd wrote a couple of months ago for the *Municipal Lawyer* titled "Five Reasons to Become a Municipal Lawyer," Todd stated that he left family law (i.e., divorces) because that increased his struggle with "leaving work at work." What Todd didn't say in that article, however, was that the more responsibility he's been given as a municipal lawyer, the more challenging it is to disconnect from work. As one member wisely stated, "I have found that the work never stops flowing and that taking time to unplug or rest is okay …. I try to keep a balance by unplugging when I am not in the office or I am off." Another member wisely stated: when you are off work (especially during vacations and events), don't work! "Do whatever planning you have to do ahead of time to make sure you don't put yourself in the position of answering emails, editing a document, or attending a virtual meeting."

If you work from home--something that became almost universal thanks to the pandemic-- it becomes even more important to maintain that separation. A member said: "When I work from home I do so in a space that I use only for that purpose. Not everyone has the space to do this, but I think that putting laptop and papers away and out of sight at the end of the day is almost as effective."

Be careful about dumping work issues on your family and friends. "I try not to talk, in depth, about work when I am home or with friends. Sure, I'll say 'Oh it was a busy day, week, month… or tons of court appearances lately…' but rehashing a particularly difficult or complicated matter usually doesn't benefit anyone and doesn't provide the different atmosphere needed when one is separated from work. It is hard to do sometimes, but it is a worthwhile effort!"

Actively manage your work day. Several members agreed that time management at work is a crucial aspect of work-life balance. One said, "I try to start work early, stay focused during the work day, and then leave at my designated quitting time. I do this so I can get home, and then finish my daily exercise and have family/relaxation time."

Another member said, "at work, meetings are the bane of my existence" because she is often invited to "function as eye candy or cover, neither of which are productive uses of my time." I'm sure we can all remember walking out of a meeting thinking, "this could have been an email." Set boundaries for yourself, which could include blocking off time around important family events, allowing only a select few to add appointments to your calendar, or making sure every meeting has a clearly stated purpose before accepting the calendar invitation.

Rare will be the times when you absolutely must work through lunch, at night, or on weekends. A member said, "You wouldn't expect any of your departments' staff to work nights and weekends if it's not truly time sensitive, so stop expecting it from yourself. Without work-free nights and weekends, you're going to burn out and start hating the job you love. You deserve to have a job you love."

Plan and make goals. Limit wasted time or productivity. One member found journaling to be helpful in setting and tracking personal and professional goals each month. "The personal goals help me focus my free time so I can be intentional about working on them. That way they stay a priority and I feel like work is not all consuming because I am spending time on the things that matter to me."

Take time to reflect and meditate. Meditation and mindfulness practices can help you center yourself in times of stress. Kerrie Liles Lauck, a licensed attorney in Arkansas and now an internationally certified mindfulness teacher, recognizes how mindfulness has helped in her own life and how it can help others. Kerrie said, "in 2009, as an attorney and new mother, I found mindfulness as a way to help me cope with and better manage my life and work. The practices quickly became indispensable life skills for me, as well as keys to collaborative teamwork and leadership." This became so important to her that she retired from lawyering and, in 2021, established KLauckwork, a mindfulness training center in Little Rock, Arkansas, to share the practice of mindfulness with others. Kerrie's clients include the Arkansas Municipal League, attorneys and law firms, small and large corporations, school districts, and medical professionals.

Blake recently attended a mindfulness session Kerrie led for attorneys at the Arkansas Municipal League's annual conference. After sharing some of the science behind mindfulness, she led the group through a guided breathing exercise. Everyone in the room agreed that, after just a few minutes of breath work, their minds had calmed and they could feel a difference in their stress levels.

A mindfulness practice doesn't have to take an hour out of your day. Just a few minutes doing breath work, intentional movement, focused attention, body awareness, or visualization can positively impact your stress levels. This is not an overnight fix, but peer reviewed studies have shown that even a few weeks of regular practice can lead to increased focus; lower levels of stress hormones, blood pressure and heart rate; increased immune function; and protection against cognitive decline.[2,3,4]

The next time you feel overwhelmed, Kerrie suggests that you try the 7-11 breath exercise: count to 7 on your in-breath and count to 11 on your out-breath. Do this for several minutes. It can quickly and effectively bring relief by engaging the part of the brain that regulates our sense of safety and stability.[5]

Continued on page 22

New Lawyers *cont'd from page 21*

Get a hobby. Many members find balance in their hobbies. Whether that involves throwing pottery, sitting down to read, doing crossword puzzles, or spending time in the great outdoors, these activities "contribute to a healthy lifestyle for the long term."

Give yourself grace. Life will not always be a walk in the park, and it's important to set reasonable expectations for ourselves. One member acknowledges that "perfection is not attainable, and therefore it's really important that we forgive ourselves if we are trying our best but still fall short." Another member said, "I now know that there are going to be periods when personal and family commitments intercede more and other times when I have seemingly endless time and energy to devote to my work. And that's okay. Giving myself grace and having a forgiving perspective has eventually brought everything into equilibrium." ML

Notes

1. In this article, we will quote several responses anonymously. And to ensure flow, it is safe to assume that anytime we're quoting something, it came from a member who submitted a response, without our specifying each time that it came from a member.
2. Yi-Yuan Tang, et al., *The neuroscience of mindfulness meditation*, Nature Reviews Neuroscience, April 2015 at 213-225
3. Shian-Ling Keng, et al., *Effects of mindfulness on psychological health: A review of empirical studies*, Clinical Psychology Review, Volume 31, Issue 6, 2011 at 1041-1056
4. Philippe R. Goldin, et al., *Effects of Mindfulness-Based Stress Reduction (MBSR) on Emotion Regulation in Social Anxiety Disorder*, Emotion, February 2010 at 83-91
5. Visit http://www.klauckwork.com for more information about practicing mindfulness including other tips and exercises.

Homelessness *cont'd from page 15*

1. *See* https://coloradosprings.gov/police-department/page/homeless-outreach-team.
2. Colorado Springs, Colo., Ordinance 12-100 (Nov. 20, 2012).
3. Code of the City of Colorado Springs 2001, as amended ("City Code") § 9.2.111.
4. Ordinance 12-100 was codified in City Code § 9.2.111.
5. City Code § 9.2.111 (B)(repealed).
6. Pikes Peak Justice & Peace Commission v. City of Colorado Springs, 12-cv-03095-MSK (U.S. Dist. Colo. 2012).
7. *Id.* at p .4.
8. Fed. R. Civ. P. 65.
9. *Pikes Peak Justice & Peace Commission, supra* note 6 at p. 10. The Court drew the elements of the preliminary injunction analysis from *Schrier v. University of Colorado,* 427 F.3d 1235 (10th Cir. 2005).
10. *Id.* at p. 13 *citing* Heffron v. International Society for Krishna Consciousness, 452 U.S. 640 (1981); and United States v. Kokinda, 497 U.S. 720 (1990).
11. *Id.* at p. 13.
12. *Id.* at p. 14.
13. *Id.* at p. 15.
14. *Id.* at pp. 18-19.
15. *Id.* at p. 22.
16. *Id.* at p. 32.
17. As part of the overall settlement of the case the City agreed to pay $110,000 to the ACLU.
18. Colorado Springs, Colo., Ordinance 13-22 (Apr. 11, 2013).
19. United States Census Bureau, "Quick Facts", https://www.census.gov/quickfacts/coloradospringscitycolorado.
20. *Id.*
21. Breeanna Jent, *Nearly All El Paso County Renters, Half of Homeowners Concerned About Housing Affordability*, Colorado Springs Gazette (Jun. 8, 2022), https://gazette.com/premium/nearly-all-el-paso-county-renters-half-of-homeowners-concerned-about-housing-affordability-poll/article_97404cb4-e6a2-11ec-b1c8-9f36e6a9351c.html.
22. Tom Cronin and Bob Loevy, *The Affordable Housing Crisis in Colorado: U.S. Government Has to Help*, Colorado Springs Gazette (May 7, 2022), https://gazette.com/premium/the-affordable-housing-crisis-in-colo-u-s-government-has-to-help-cronin-and-loevy/article_621f06ea-cc87-11ec-bd36-effdfc2e94fa.html#:~:text=The %2020 2020%20Census%20set%20the,-Colorado%20Springs%20at%20 12%2C135%20units.
23. *See* https://www.usich.gov/about-usich/council/.
24. U.S. Interagency Council on Homelessness, The Importance of Housing Affordability and Stability for Preventing and Ending Homelessness (2019), https://www.usich.gov/resources/uploads/asset_library/Housing-Affordability-and-Stablility-Brief.pdf.
25. City of Colorado Springs, "Number of People Experiencing Homelessness", https:// coloradosprings.gov/homeless-prevention-and-response-0/page/number-people-experiencing?m-lid=34021.
26. *Id.*
27. *Id.*
28. Reed v. Town of Gilbert, 576 U.S. 155 (2015).
29. *See* Genevieve Lakier, *Reed v. Town of Gilbert, Arizona, and the Rise of the Anticlassificatory First Amendment*, Supreme Court Review, 233 (2017), *located at* https://www.journals.uchicago.edu/doi/full/10.1086/691625.
30. *Reed*, 576 U.S. at 165.
3. *Id.* at 171, *citing* Arizona Free Enterprise Club's Freedom Club PAC v. Bennett, 131 S.Ct. 2806, 2817 (2011), *quoting* Citizens United v. Federal Election Commission, 558 U.S. 310, 340 (2010).
32. Browne v. City of Grand Junction, 136 F.Supp. 3d 1276, 1287-88 (D. Colo. 2015).
33. *Id.* at 1292.
34. *Id.*
35. Martin v. City of Boise, 920 F.3d 584, 604 (9th Cir. 2019).
36. *Id.* at 617 quoting *Jones v. City of Los Angeles*, 444 F.3d 1118, 1136 (9th Cir. 2006), *appeal dismissed per stip-*