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By: Terrill C. Pyburn, City Attorney, Coconut Creek, Florida, and Norman A. Dupont, Partner, Ring Bender LLP, Newport Beach, California

There is general consensus that co-locating those battling substance abuse in residential settings can help rehabilitation. But communities rarely welcome sober homes into their midst. Laws at the federal, state, and local levels protect recovery facilities against measures aimed at excluding them and codify standards of care for the treatment of recovering residents.

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WHAT EVERY MUNICIPAL ATTORNEY SHOULD KNOW ABOUT THE FIRST AMENDMENT

By: Roger Horner and Ian Williams, Senior Specialists and Legal Editors, Thomson Reuters Practical Law Government Practice Service

No prerogatives are more fundamental to American democracy than those guaranteed by the First Amendment. Whether safeguarding speech, press, or religion, the right to assembly and petition, or a corollary right recognized by the Supreme Court—the freedom of association—local government lawyers are responsible for ensuring that each is protected.

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DAY IN THE LIFE

LISA GLOVER,
Town Attorney of Cary, North Carolina

Playing a Part in Well-Run Government



Hello, Lisa! Where were you born and raised?
I was born in Richmond, Virginia, but grew up in Suffolk, Virginia, and I stayed there through high school. I came down to Chapel Hill to go to UNC for undergrad, and I've been in North Carolina ever since.

After UNC, what did your journey from law school to becoming the Town Attorney of Cary look like?
After UNC, I went to Duke for law school so that I could get a master's degree in environmental management at the same time. I had planned to be an environmental lawyer and work in that sector. It took four years to get the joint degree, so I had several summers to work. One of those summers, I worked for the UNC School of Government, which is the largest university-based local government training, advisory, and research organization in the United States. That was my first time hearing about local government as an option for lawyers. After law school, I clerked for a year at the North Carolina Court of Appeals and then moved into a job with the North Carolina Attorney General's Office. There, I represented the North Carolina Department of Transportation on environmental law issues. I was doing what I had wanted to do, which was environmental law, but I kept my eyes open for opportunities in local government because of that summer at the School of Government. After about eight years with the Department of Transportation, the Town of Cary had an opening for an Assistant Town Attorney. I didn't know if I'd be at all qualified for it, or if I would even like it, but I decided to put my hat in the ring. That was 15 years ago! When I was hired, there were just two attorneys in the office–the town attorney and myself. In 2015, we added a third attorney to the office, so I became the Senior Assistant Attorney, and then the Deputy Attorney. At the end of 2020, our Town Attorney retired after 20 years, and I was named to that position a few months later. I've now been the Town Attorney for Cary for three years.

How are responsibilities divided between the three attorneys in your department?
Because there's only three of us, we're all kind of generalists in everything. Matt Pentz is our Senior Assistant Town Attorney, and he took over handling a lot of our planning and zoning issues, which is what I had specialized in until I became Town Attorney. He represents the planning and zoning board, works with our quasi-judicial boards, and does a lot of contract review work. He's also our technology guru and is becoming our AI expert. He's really diving into that at the legal level and staff level, which is helping our office figure out how and why to use AI. Nick Yates is our Deputy Town Attorney. He has a litigation background, so he interfaces with all of our outside counsel on litigation. He also has experience in the District Attorney's office, so he works very closely with our police and fire departments. Nick has also become our solar energy expert as we work to incorporate solar into new facilities and retrofit existing facilities. Besides day-to-day council activity, I'm involved in the legal aspects of large development projects in Cary.

What are some unique characteristics of municipal legal activity in Cary, maybe compared to larger cities?
Well, Cary has over 180,000 people, so it's the seventh largest city in North Carolina. Fun fact: we're actually the second largest "town" in the country behind Gilbert, Arizona. I would say that there's a couple of things that make us unique. We have a town council that is very experienced. Our Mayor has served for 16 years, so he's the longest-serving Mayor in Cary history. He was just reelected. We have a council member who has been on the council for more than 30 years, since 1989. There's also two other long-serving councilmembers, and three that are relatively new. The level of experience



and knowledge on our council is really amazing and unmatched. It makes a great environment for all staff, including the attorneys, because they know how the town works, they know how local government works, and they're just really good partners on everything that we do. I think that experience level of the council makes us unique and more like a small city. Our neighbors and bigger cities have had more turnover on their councils and are relatively young in terms of experienced council members. Cary's newest council members all came in eager to learn and grow and have been very supportive of staff. We have a very healthy mixture of veterans and newcomers with "fresh eyes." Our council approaches decision-making in a non-partisan way as well, which I think is very helpful. Their focus is always Cary and its citizens.

What do you enjoy most about being Town Attorney of Cary, and what about municipal law appeals to you?
I have a two-part answer for that. What I really love about Cary, specifically, is the people. I told you about the council and how great the town council is, but the staff is just amazing from top to bottom. From my first day in the office 15 years ago, I was impressed by their level of commitment to Cary, their knowledge, and how much they've been able to accomplish. The staff just keeps getting better and better as the years go by. We have a manager who has been here about seven years now. He brought a new mindset to the staff and really reinvigorated everybody. On top of that, I really love that municipal law brings something different every day. The three of us in the legal department work with every single department, from A to Z–animal control to zoning–and everything in between, so on a given day I might be talking to someone in the solid waste department, or someone in parks, or someone in police. There are certainly folks that we talk to more than others, such as the planning department. Cary is growing, developing, and redeveloping, so planning is probably the department that I work with most. But unlike the Attorney General's office, where I used to work, every day is different here. Every *year* is different because the legislature in North Carolina makes a lot of changes that affect local government, so there's also an intellectual challenge of figuring out how to adapt to those changes.

How do you feel that your job responsibilities have changed over the past few years?
When I first started in the assistant role, I was just learning about local government and how it really works, so the bulk of my responsibilities before I became Town Attorney were working with the planning department, contract review, and so on. . In Cary we use terms from a a book called *Leadership on the Line* by Marty Linsky and Ronald Heifetz. We use terminology called the "dance floor" and the "balcony". The "dance floor" consists of the technical work, making sure things are running day-to-day. The "balcony" is taking a higher- level view, making sure all of the moving parts fit together and create a whole. Starting out, Iwas doing work on the "dance floor," making sure things were running and answering the technical legal questions that came up. Now, as Town Attorney, I get to take more of that high-level balcony view and really think about how all of the departments of Cary are working together, how what one department does affects another. I also have to think at a high level about the council and their ideas, thoughts, pressures, and motivations, and work with the Manager's office on that level, too. So it's more strategic and adaptive thinking, less day-to-day technical work.



What does a typical day for you look like inside and outside of work?
At work, it's generally a lot of meetings with staff, running from one to the next, working with staff at all levels in all departments. Twice a month we have our council meetings, so preparing for and attending those meetings and work sessions takes up a lot of time. The real deep-thinking work that needs to

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Day in the Life *cont'd from page 29*

happen sometimes has to wait until nighttime or the weekends. I try not to interfere with that time too much, but that's when things finally quiet down and you get to focus. I balance all of that around two kids and their activities; I have one who's a freshman in college, and one who's still in high school.. Another perk of local government work, in general, and in Cary in particular, is the flexibility to be able to do what I need to do during the day for my kids and for myself, and not be stuck at my desk. I'm flexible to work from home sometimes or leave early. I always know that the work is going to get done and the timing around when it gets done is not as important as it getting finished. Local government doesn't have the pressure of billable hours; a normal 40-hour week is what we expect. Sometimes we have to work more than that, but we try not to exceed that too often.

What are some of your hobbies or ways you like to spend your time outside of work/with your kids?
I love reading, so reading anything–fiction, non-fiction–I've been trying to do more of that in the past year or two; increasing my number of books read per year has been pretty exciting. We also have season tickets to the Carolina Ballet, which is the professional ballet company in Raleigh. I love to exercise–jazzercise is my exercise of choice. I did want to say–because I just think this is interesting–I work for Cary, but I do not live in Cary. I live in Apex, which is a neighboring municipality. Obviously, living in Cary is not a requirement to be the Town Attorney. My predecessor didn't live here either. I'm always curious about this for other attorneys. For me, it's nice to have that separation between work and home life.

I'll have to add that to my list of interview questions! To wrap things up, do you mind giving us a few book recommendations?
For work purposes, *Leadership on the Line* is the book I mentioned earlier. Our manager, Sean Stegall, brought that book to us when he came to Cary, and it's become our staff's vocabulary. For recreational reading, I'll give you two. I was recently introduced to the author Ross Gay. His newest book is called *The Book of (More) Delights: Essays*. It's a short collection of essays about things that are delightful, and things that have made him think. It's very poetic and elevates my mood when I read one of his essays. There's also a popular book that I just finished and really liked called *Tomorrow, and Tomorrow, and Tomorrow* by Gabrielle Zevin. It spans several decades of time from the 1980s onward and was hard to put down.

