

2020 CML Annual Seminar on Municipal Law

This year's Annual Seminar on Municipal Law will be held on four consecutive Fridays in October. A complete seminar schedule is below. CML is applying for 12 CLE credits. Your credit eligibility is determined by the number of sessions you attend and the credit amount for those sessions.

Friday, Oct. 2

1:30 p.m. to 2:45 p.m. – Session 1 (1.5 credits)

- **Annual Survey of Municipal Law** – CML General Counsel David Broadwell will offer his annual review of all the highlights from the past year in state and federal appellate courts, with an emphasis on holdings that directly affect municipal operations.
 - **Speaker:** David Broadwell, CML general counsel

3 p.m. to 3:50 p.m. – Session 2 (1 credit)

- **Update on Federal Regulations Impacting Siting of Wireless Facilities** – The law continues to develop around small cells and macro sites nationwide. This year, the FCC came out with new and further preemptive rules that apply to collocations on macro and small cell sites. The 9th Circuit issued a split decision on the appeal of the FCC's 2018 small cell rules. This session will address the current state of the law, litigation updates, and practical suggestions for regulatory oversight of wireless facilities.
 - **Speaker:** Ken Fellman, Kissinger & Fellman, P.C.

Friday, Oct. 9

1 p.m. to 1:50 p.m. – Session 3 (1 credit)

- **Elections Campaign Finance Complaints** – In 2019, the General Assembly passed SB 19-232, which mandated that any complaint arising out of a “municipal campaign finance matter” must be filed with the clerk of that municipality. While the legality remains in question, municipalities should consider a process for these types of complaints. This session will look at different approaches and considerations to processing campaign finance complaints.
 - **Speakers:** Dan Volkosh, Denver policy and compliance administrator; Maureen Juran, Widner & Juran, LLP

2 p.m. to 2:50 p.m. – Session 4 (1 credit)

- **The Potential “Eviction Crisis”: Housing in Economic Uncertainty** – With the end of eviction moratoriums forthcoming, this session will look at options for municipalities. This session will also look at different options for affordable housing other than rent control.
 - **Speakers:** Kevin Geiger, Telluride city attorney; Eliot Schaefer, Denver assistant city attorney

3 p.m. to 4:15 p.m. – Session 5 (1.5 credits)

- **Civil Claims Against Local Peace Officers Under SB 20-217** – SB 217 did far more than just “repeal qualified immunity” and subject peace officers to “personal liability.” Our expert panel will discuss all the ways civil litigation under the new state law will differ from traditional §1983 cases.
 - **Speakers:** Tom Rice and Eric Ziporin, Senter Goldfarb & Rice LLC

Friday, Oct. 16

1:30 p.m. to 2:45 p.m. – Session 6 (1.5 ethics credits)

- **The Ethics of Advising Law Enforcement in Pretextual or Covert Investigations** – In 2017, the Colorado Supreme Court amended Rule 8.4(c), creating an exception to the theretofore absolute prohibition against a lawyer engaging in "conduct involving dishonesty, fraud, deceit or misrepresentation." The amendment provides "that a lawyer may advise, direct, or supervise others, including clients, law enforcement officers, or investigators, who participate in lawful investigative activities." This session will cover the complexities of such an exception.
 - **Speaker:** Charles Luce, Moye White

3 p.m. to 4:15 p.m. – Session 7 (1.5 credits)

- **Enhancing Client Relations Through Writing** – The world of legal writing continues to evolve as lawyers better understand how to serve their clients. This session will review the plain language approach to writing for the municipal client and how to increase efficacy as legal advisors.
 - **Speaker:** Carrie Daggett, Fort Collins city attorney

Friday, Oct. 23

1 p.m. to 1:50 p.m. – Session 8 (1 credit)

- **Sales Tax Simplification in a post-Wayfair World** – In 2018, the United States Supreme Court overturned prior precedent and allowed local governments to collect sales tax on remote sales. This session will provide an overview of tax simplification in Colorado, leading up to and beyond the *Wayfair* decision.
 - **Speakers:** Geoff Wilson, Murray Dahl Beery & Renaud LLP; Laurel Witt, CML associate counsel

2 p.m. to 2:50 p.m. – Session 9 (1 credit)

- **Refresher on Handling Employment Discrimination Claims under CADA** – This session will overview handling employment discrimination claims under the Colorado Anti-Discrimination Act, including LGBTQ+ specific discrimination.
 - **Speakers:** Lorrie Ray, Employers Council; Sam Anderson, Department of Regulatory Agencies

3 p.m. to 3:50 p.m. – Session 10 (1 credit)

- **Reexamining First Amendment Principles Through a 2020 Lens** – This was a year when old First Amendment case law met new social realities. This session will review a few examples: exercise of speech rights on private commercial property; targeted residential picketing; spontaneous parades and demonstrations; and clashes between protestors and counter-protestors.
 - **Speakers:** David Broadwell, CML; Frederick Stein, Colorado Springs