

Ensuring Local Governments Comply with the Law

» *Gain a Better Understanding of Municipal Liability Issues*

Akron, Ohio — December 9, 2019

Cleveland, Ohio — December 12, 2019

Presented By

David M. Benjamin

Benjamin G. Chojnacki

Stephen W. Funk

Dale H. Markowitz

Robert A. Zimmerman

Credit Information

CLE - 6.0 (Incl. 1.0 professional conduct)

See inside for details!

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SEMINAR OUTLINE

- **OPEN MEETING LAWS**

9:00 - 10:00, written and presented by David M. Benjamin in Akron and Dale H. Markowitz in Cleveland.

- Overview of the Law and to Whom it Applies
- Required Content of Meeting Notices
- Exceptions to the Rule
- Email Communications

- **PUBLIC RECORDS ISSUES**

10:00 - 11:00, written and presented by Robert A. Zimmerman in Akron and Cleveland.

- The Public's Right to Access Records - and Exceptions to the Rule
- The Law Regarding Retention, Maintenance and Disposing of Public Records
- Issues With Electronic Records Retention
- Developing a Public Records Policy

- **HUMAN RESOURCES ISSUES**

11:15 - 12:15, written and presented by David M. Benjamin in Akron and Benjamin G. Chojnacki in Cleveland.

- New Developments in Employment Law
- Conducting Successful Employee Investigations
- Protecting Your Employees' Privacy Rights
- Improving Your Personnel Policies

- **PUBLIC CONTRACTS AND PROCUREMENT**

1:15 - 2:15, written and presented by David M. Benjamin in Akron and Benjamin G. Chojnacki in Cleveland.

- Bidding Requirements and Processes
- Procedures for Payment
- Bid Protest Procedures
- How to Prevent Common Contract Disputes
- How to Resolve Common Contract Disputes

- **A CURRENT LOOK AT GOVERNMENT IMMUNITY**

2:30 - 3:30, written and presented by Stephen W. Funk in Akron and Cleveland.

- Overview of §1983 Litigation
- Types of Immunities
- Common Causes of Action
- Popular and Effective Defenses
- The Latest Evidentiary Considerations

- **ETHICS**

3:30 - 4:30, written and presented by Stephen W. Funk in Akron and Cleveland.

- Privileged vs. Public Communications
- Conflicts of Interest
- Whistle Blowing: Duty to Report?
- Representing Clients After Public Service

**If needed, the above agenda may be changed to best accommodate all of our attendees.*

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SEMINAR OVERVIEW

Adeptly Handle Governmental Legal Matters

Are you up to speed on local government law? Examine the disputes and challenges municipalities are currently faced with and listen as experienced faculty share their strategies and techniques for dealing with them. Get the information you need to prevent and resolve government problems - *register today!*

BENEFITS OF ATTENDING

- Stay up to date on newly developing cases and legal issues in government law.
- Ensure compliance with public records access and retention laws.
- When do open meeting laws apply?
Find out what situations and email communications constitute a public meeting.
- Explore ways to prevent and resolve public contract disputes and bidding protests.
- Avoid employment disputes:
know what personnel policies municipalities should and shouldn't have.
- Examine the ethical considerations involved in public disclosure of government actions.
- Know the laws regarding government immunity and employee protections from costly lawsuits.

WHO SHOULD ATTEND

This **basic-to-intermediate level** seminar is designed for attorneys and government officials who would like tips and strategies for overcoming current challenges in municipal law. It may also benefit paralegals.

CREDIT INFORMATION

The specific continuing education credit(s) listed are for attending the live seminar. For detailed credit information, please contact us at **866-240-1890** or visit us at **nbi-sems.com**.

CLE - 6.0 - This course has been approved by the Ohio Supreme Court Commission on Continuing Legal Education for 6.0 CLE credit hours, including 1.0 hour of attorney professional conduct instruction.

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DAVID M. BENJAMIN is a sole practitioner with the Law Office of David M. Benjamin, in Aurora. As an attorney for more than 33 years, he maintains a general practice with a focus on representing local governments. Mr. Benjamin teaches local government law and land use planning at The University of Akron School of Law and he teaches land use policy for Hiram College. He earned his A.B. degree from Boston University, his M.P.A. degree from the University of Akron and his J.D. degree from Case Western Reserve University School of Law. *(Akron location)*

BENJAMIN G. CHOJNACKI is an attorney in Walter | Haverfield LLP's public law, litigation, and sports law groups. He currently serves as the assistant law director for the village of Cuyahoga Heights and the village solicitor for the village of Lakemore. Mr. Chojnacki has previously served as assistant law director for the village of Hunting Valley and for Orange Village. Mr. Chojnacki counsels municipalities, public entities, and private corporations on all aspects of public law. He earned his B.A. degree from Ohio Wesleyan University and his J.D. degree from Cleveland-Marshall College of Law. *(Cleveland location)*

STEPHEN W. FUNK is a partner with the law firm of Roetzel & Andress, L.P.A., where he practices in business and public law litigation, appellate law, constitutional law, and land use and zoning law. He has significant experience in representing municipalities and police officers in Section 1983 actions filed in federal court. Mr. Funk has been listed as one of the Top 100 attorneys in Ohio, and one of the top 50 attorneys in Cleveland by the *Ohio Super Lawyer* magazine. Prior to joining Roetzel & Andress, L.P.A., he was a trial attorney and senior litigation counsel with the Civil Division of the U.S. Department of Justice in Washington, D.C. Mr. Funk is a member of the Akron, Ohio State, and Federal bar associations, and a member of the advisory group for the U.S. District Court for the Northern District of Ohio. He earned his B.A. degree, summa cum laude, from Miami University and his J.D. degree, cum laude, from Harvard Law School. *(Akron and Cleveland locations)*

DALE H. MARKOWITZ is a principal with the law firm of Thrasher, Dinsmore & Dolan, where he practices in the areas of eminent domain, municipal law, real estate law, zoning, litigation, and corporate law. Mr. Markowitz is a frequent lecturer on zoning and real estate topics. He acts as special counsel to municipalities, townships, and county government. Mr. Markowitz has created numerous condominium and cluster developments, and represents community associations. He is also the law director for the Village of Chagrin Falls. He is a member of the Geauga County, Ohio State, and American bar associations. Mr. Markowitz earned his B.S. degree from The Ohio State University and his J.D. degree, magna cum laude, from Cleveland-Marshall College of Law. *(Cleveland location)*

ROBERT A. ZIMMERMAN is a partner in the law firm of Benesch, Friedlander, Coplan & Aronoff LLP, and chair of the firm's public law practice group. As a civil trial and appellate lawyer with more than 25 years of experience, Mr. Zimmerman has litigated cases involving employment discrimination, wrongful discharge, unfair competition, defamation, breach of contract, real estate, landlord-tenant, zoning, land use, constitutional rights, elections, trusts, business, and commercial law. Complementing his litigation practice is his government relations practice. Mr. Zimmerman is a member of the Shaker Heights City Council. He served in the administrations of Governor Richard F. Celeste, and Attorneys General Anthony J. Celebrezze, Jr. and Lee Fisher. He is licensed to practice in Ohio, as well as before the U.S. Court of Appeals for the Sixth Circuit, U.S. Court of Appeals for the Third Circuit, U.S. District Court for the Northern and Southern Districts of Ohio, U.S. District Court for the Eastern District of Wisconsin, and the U.S. District Court for the Eastern District of Michigan. Mr. Zimmerman is a member of the American, Ohio State, and Cleveland bar associations. He earned his B.A. degree, cum laude, from The Ohio State University and his J.D. degree from The Ohio State University Moritz College of Law. *(Akron and Cleveland locations)*

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MUNICIPAL LAW FROM START TO FINISH

© March 2019 (Product ID: 81955FP)

Learn how to conduct open meetings, maintain and respond to public record requests, better understand Section 1983 claims and government liability, handle zoning ordinance violations and so much more! In this comprehensive guide, experienced faculty will go over these key elements of municipal law and give you the tools you need to be able to confidently assist your clients. Order today!

By: L. Scott Miller, Frederic W. Knaak and Eric J. Larson.

OnDemand - \$339 DVD & Manual - \$229 • Duration - 6hr 0min

CELL AND WIRELESS TOWER LAW

© January 2019 (Product ID: 81788FP)

What cell phone facilities are going to be installed in the future and where will they go? Can visible impacts on local communities be minimized? What regulations currently stand and what new FCC regulations can be expected? These common questions and concerns will be answered in this fundamental guide regarding the land use, zoning and leasing of cell phone towers. Get up to speed on the latest laws, issues and challenges they will undoubtedly face. Order today!

By: Gerard L. Lederer and Tripp May.

OnDemand - \$339 DVD & Manual - \$229 • Duration - 5hr 59min

STUDENT BULLYING, DISCRIMINATION AND HARASSMENT

© December 2018 (Product ID: 81333FP)

Bullying, discrimination and harassment remain some of the most difficult issues both students and schools face today. The extent and limitations of the law are not always obvious, however. This comprehensive overview of student bullying, discrimination and harassment laws will get you up to speed on the latest legal perspectives. You'll take away the valuable knowledge you need to confidently handle contentious legal situations - order today!

By: Laura Tubbs Booth, Erin D. Gilsbach and Richard F. Versteegen.

OnDemand - \$339 DVD & Manual - \$229 • Duration - 6hr 0min

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CLEVELAND — DECEMBER 12

CMBA Conference Center

One Cleveland Center
1375 East 9th Street, Floor 2 • Cleveland OH 44114
Phone: 216-696-3525

SCHEDULE

Registration 8:30 — 9:00 am
Seminar 9:00 am — 4:30 pm

TUITION

\$359 for the first registrant
\$349 for each additional registrant

Complimentary snacks and refreshments are provided.
Lunch is on your own.

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*Pre-registration is encouraged. If you need to register at the door, you may wish to call us first to confirm availability and to receive information regarding schedule or location changes.

Ensuring Local Governments Comply with the Law

83972

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