

# Municipal Lawyer

A publication of the Municipal Law Section of the New York State Bar Association, produced in cooperation with Touro Law Center

## Message from the Chair

The Municipal Law Section continually strives to increase our diversity and expand our membership in order to enable us to enhance our services to our members. Walking through the Association forest, we have just had an enhancement acorn serendipitously fall into our membership pocket: the Committee on Attorneys in Public Service (CAPS) is looking for a new home within a Section. And the ideal home for these State attorneys—and indeed for all State attorneys, who are currently homeless within the Association—is our own Municipal Law Section. Expanding the Section to include State attorneys, as well as inside and outside counsel to municipalities and attorneys who appear before and against municipalities, would offer the Section many benefits:



- New and energetic blood for our committees and committee co-chairs;

- Greater diversity;
- More young members to bring up through the ranks to lead the Section in the future;
- Assumption of CAPS’ highly regarded *Government, Law and Policy Journal* as a forum for longer articles about municipal, as well state, law;
- Bestowal of the revered Public Service Award;
- Expansion of CAPS’ excellent blog to include municipal law issues;
- Integration of programs, reports, and articles on matters of state and municipal concern, such as environmental, open government, ethics, and green development issues; and
- Other benefits yet to be named.

All of this is at no additional cost to the Section, as the Association has promised to commit the resources necessary to fund the expansion, including the cost of a major outreach to State attorneys, both members and non-members of the Association, and the ongoing cost of the *Journal* and the Award.

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To be sure, due diligence dictates that the Section's officers and Executive Committee address any concerns that might arise as a result of such an expansion, such as:

- Nailing down exactly what short and long term monetary and other assistance the Association will provide to the Section;
- Ensuring that expansion will enhance, not dilute, the services the Section provides to its current members; and
- Ensuring that attorneys who appear before and against municipalities remain welcome and active members of the Section.

Expansion of the Section to include State attorneys would require:

- Changing the name of the Section to reflect the inclusion of State attorneys;
- Establishing new committees to address the needs and interests specific to State attorneys, such as a State Counsel Committee and possibly an Administrative Law Judge Committee, and to incorporate the *Journal*, the Public Service Award, and the blog into the Section;

- Including State attorney co-chairs, initially from among CAPS' members, on existing Section committees, as appropriate, such as the State and Federal Constitutional Law Committee, the Membership and Diversity Committee, and the Ethics and Professionalism Committee;
- Expanding the Section's CLE offerings at its Fall and Annual meetings to address matters of concern to State attorneys, creating two-track programs as appropriate, as the Section now does when it joins with other Sections for those meetings; and
- Expanding the *Municipal Lawyer* and the Section's website to reflect the expanded mission of the Section.

Candidly, provided that we assure ourselves that the above concerns have been fully addressed, I see little, if any, downside to expanding the Section to include State attorneys. To the contrary, we have, I believe, very much to gain.

**Mark Davies**