

Clerks – Legislative and Legal Update

**IML Annual Conference
Saturday, September 20, 2014**

Presented by Keri-Lyn J. Krafthefer and Adam W. Lasker

Recent Court and PAC Decisions

- Public Comment During Open Meetings
 - Content-based restrictions violate First Amendment
 - Policy banning “negative” public comments is unconstitutional

Griffin v. Village of Ruidoso, NM, et al., CIV-13-0799 JB/GBW (N.M. Dist Ct., 6/18/14).

Recent Court and PAC Decisions

- Public Comment During Open Meetings
 - Pending lawsuit challenges content-neutral ban on public comment
 - Citizens arrest, sue park district board members who refused to allow public comment
Allen v. Clark County Park District, et al., 2014-MR-18 (Clark Co. Cir. Ct., 2014)

Recent Court and PAC Decisions

- Confidential agreements not actually confidential
 - PAC rules FOIA trumps confidentiality provisions in governmental contracts
Belleville News-Democrat v. St. Clair County, 2014 PAC 27773 (PAC op. 14-004)

Recent Court and PAC Decisions

- Police reports may not be withheld in their entirety
 - Police reports cannot be fully exempt from disclosure
Daily Herald v. Village of Lisle, 2013-PAC-26295 (2014)

Quick Election Update

- Double-check your objector's petition filing deadline!

Dec. 23	Dec. 24	Dec. 25	Dec. 26	Dec. 29	Dec. 30	Dec. 31	Jan. 1	Jan. 2	Objection- filing DEADLINE
Open	Open	Closed	Open	Open	Open	Open	Closed	Open	Dec. 30
Open	Closed	Closed	Open	Open	Open	Open	Closed	Open	Dec. 31
Open	Closed	Closed	Open	Open	Open	Closed	Closed	Open	Jan. 2
Open	Closed	Closed	Closed	Open	Open	Closed	Closed	Closed	Jan. 6

Quick Election Update

- Electoral boards are (probably) not authorized to rule on allegations of debt
 - Debts to the municipality (might) no longer be a bar to the ballot

For More Information...

- Keri-Lyn J. Krafthefer
 - kkrafthefer@ancelglink.com or 312-604-9126
- Adam W. Lasker
 - alasker@ancelglink.com or 312-604-9162
- Ancel Glink's Website: ancelglink.com