



Legal Q&A

By TML Legal Staff

What is the Texas Municipal League's Legal Services Department?

The League's legal services department provides general guidance to city officials on legal issues. The League hired its first lawyer in the 1950s. Since that time, the legal services department's staff has expanded to meet the growing needs of our member cities. Under the direction of the TML General Counsel, the current staff of five attorneys, a part-time law clerk, and a legal assistant performs numerous functions for the League's member cities. The main role of the department is to answer inquiries from the elected and appointed officials of the League's member cities about legal issues within their official responsibilities.

What is the background of the department's attorneys?

The attorneys have diverse backgrounds. Four worked previously for the Texas attorney general's office, two have worked for municipal law firms, and two worked for a city (one as deputy city attorney and one as a prosecutor). One served as law clerk to the League while attending The University of Texas School of Law.

What is the most important service that the department provides?

The key service that the League's legal services department provides is responding to legal inquiries from member city officials. The legal staff responds to hundreds of phone calls, emails, and letters each week. In fact, over the last five years, the attorneys have provided legal advice to more than 75 percent of the League's 1,157 member cities. The inquiries range from simple questions to consultations on cutting-edge legal matters.

How does the legal department support the League's legislative activities?

The legal staff provides support for the TML Legislative Services Department on legislative matters throughout the legislative sessions, and during the interim. That support includes legal research, bill analysis, drafting of legislation, testimony on city-related bills, and coordination of city officials' testimony, among other things. During the 2017 regular session, TML attorneys reviewed and analyzed more than 6,200 bills and testified on bills before almost every committee of the Texas Legislature.

What other services does the department provide?

The legal staff performs various other functions, including:

- Writing and updating the TML *Home Rule and General Law Handbooks*. For the last update, the legal staff incorporated approximately 200 bills and dozens of other legal changes into the handbooks.
- In association with the Texas City Attorneys Association, providing “amicus curiae (friend of the court)” briefs in both state and federal appellate court cases and on attorney general opinion requests that could adversely affect our member cities. Over the past two years, TML has filed almost 30 amicus curiae briefs.
- Preparing legal question-and-answer columns like this one and other articles for *Texas Town & City* magazine.
- Researching and writing articles for the *TML Legislative Update*.
- Conducting the “Agency Watch” program, which consists of monitoring 50 state agencies for any rulemakings or other actions that may adversely affect our member cities, and participating or filing comments when appropriate. Recently, the League has participated in rulemakings or provided other input at the following state agencies: (1) Commission on Environmental Quality; (2) Public Utility Commission; (3) Department of State Health Services; and (4) Railroad Commission.
- Preparing materials for the TML website.
- Preparing materials for and presenting at numerous TML and TML affiliate workshops, small cities’ problem-solving clinics, and other seminars, as well as providing speakers with expertise in city issues to other organizations. Over the past year, TML lawyers have spoken at many workshops and seminars.

How do I contact the legal department?

The legal staff is available for phone consultation at 512-231-7400 from 8:00 a.m. – 5:00 p.m. Monday through Friday. The most common way that city officials submit inquiries is through emails to legalinfo@tml.org. A great deal of information is also located on the “Legal Research” section of the League’s website at www.tml.org.

What else do I need to know about the legal department?

City officials should remember that the League’s attorneys serve as a resource to provide general guidance on legal issues. We do not directly represent your city, and our legal guidance should never be substituted for that of your local counsel.