

REFLECTIONS*

Herbert W.A. Thiele**

It was my honor and privilege to assume the Chairmanship of the Local Government Law Section in 1989 as the Section, and local government itself, moved into the 1990s. Having served for a number of years as a member and officer of the Section's Executive Council, it was my good fortune to observe the activity and recognize the hard work of the Chairs of the Section who had preceded me. It

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** Chairman, Local Government Law Section, 1989–1990. Mr. Thiele has served as County Attorney for Leon County, Florida, since 1990. Prior to becoming County Attorney, Mr. Thiele was the City Attorney for the City of Delray Beach, Florida, for over eight years, and an Assistant City Attorney in Delray Beach, as well as in private practice, for the three years preceding. Mr. Thiele graduated from the University of Notre Dame with a B.A. in government and international studies and received his Juris Doctor degree from the University of Florida. Mr. Thiele is admitted to practice before the Florida Supreme Court, the United States Supreme Court, the United States District Court for the Northern District of Florida and the Southern District of Florida (both in the General Bar and in the Trial Bar), the United States Court of Appeals for the Fifth and Eleventh Circuits, and the United States Tax Court. He is a former Chairman of the Local Government Law Section of the Florida Bar, was a member of the Board of Directors and Secretary/Treasurer of the Florida Municipal Attorney's Association, has served on the Board of Directors of the Florida Association of County Attorneys, and held the offices of Secretary, Treasurer, Vice-President, and President of the Florida Association of County Attorneys (FACA). Mr. Thiele is past-Chairman of the Board of Directors of FACA. He is a member of the American Bar Association (Urban, State, and Local Government; Labor and Employment Law; and Litigation Sections; Government & Public Sector Lawyers Division); and the City, County, and Local Government (serving as an ex-officio member of the Executive Council), Environmental and Land Use Law, Labor and Employment Law, Administrative Law, and Trial Practice Sections of the Florida Bar. Mr. Thiele was a member of the Florida Bar Long Range Planning Committee, and is also a past member of the Individual Rights and Responsibilities Committee and a current member of the Continuing Legal Education Committee of the Florida Bar. Mr. Thiele also holds membership in the Association of Trial Lawyers of America, the ASPA Section on Environmental and Natural Resources Administration, and the International Municipal Lawyers Association (including the Personnel and Labor Law Committee). Mr. Thiele was chosen Florida Municipal Attorney of the Year for 1987–1988, and was awarded the Ralph A. Marsicano Award in 1991 by the Florida Bar Local Government Law Section for significant contributions to the development of local government law in Florida. Mr. Thiele is also listed in the Who's Who in American Law and named one of the Outstanding Young Men in America. Mr. Thiele has lectured and written numerous articles on Florida and national local government matters (including public records and sunshine laws), personnel matters (including public employee drug testing programs), public finance, zoning, land use, and comprehensive planning matters.

was a tremendous set of shoes to try to fill.

My involvement in the Section's activities really began after having been prompted to become more active by the Honorable Judge James Wolf (who was then serving as General Counsel to the Florida League of Cities) and John Copelan (who was then serving as an Assistant City Attorney for the City of Miami) while I was serving as the City Attorney for the City of Delray Beach. Their discussion with me was memorable for two reasons. First, I was honored and surprised that they actually wanted someone of my relative inexperience to become involved in the Section, as I had just recently become the City Attorney. Second, they had to talk fast — the hotel near Daytona Beach where we had been meeting had to be evacuated due to fires that were looming across the interstate.

As I eventually moved into the Chairmanship, the Section itself was undergoing a number of changes in its composition, size, and activities as they related to the remainder of the Florida Bar. The Section's membership was growing annually and diversifying, due to the growth of local governments in Florida and the interest in local government law that was being fostered among new lawyers. The Florida Bar was placing greater emphasis on the role and function of the activities of its sections.

Coordinating the activities of our Section with the then recently created Government Lawyers Division (which later became a section), and other sections, especially concerning enhanced continuing legal education matters, represented one of the challenges to the Chair presented by the Bar's emphasis on section activities. Continuing our fellowship with other sections of the Bar, especially the Administrative Law Section, the Labor and Employment Law Section, and the Environmental and Land-Use Law Section, not only proved challenging, but fruitful as we solidified our efforts at conducting more advanced joint seminars. This not only broadened the appeal of our CLE's to other members of the Florida Bar, but also allowed our section membership to acquire additional experience and exposure to areas of law that had emerged in the late 1980s.

As Section members know, the constantly changing field of local government law presents its own challenges. Few had envisioned the "growth" in land use issues, application of the FLSA (and now ADA) to local governments, expansion of the application of 42 U.S.C. § 1983 claims, and demands for services upon federal, state, and local government. The Section was also able to foster, with its diverse

membership, an invaluable comraderie and “networking” (before “networking” became more a computer term) on these issues with all Bar members. Advocating this networking from the Chair's position, to hopefully encourage more such sharing of information (so that we did not “reinvent the wheel”), was another of my primary goals.

Another goal that I had was to place a greater emphasis on the Section, recognizing the outstanding performance of its own members. While other sections of the Bar were presenting recognition and awards for service to the general public and to the Bar, our Section had not really encouraged that. In fact, most attorneys in government practice were, and are still, reluctant to stand up and take the bow that they deserved. It gets mighty lonely sometimes when all the elected officials, the administrator, the staff, and the citizens in the audience at a public, televised commission meeting turn to the local government attorney for guidance and a spontaneous, yet legally solid, response to an inquiry. We needed to recognize the unique and important nature of that role. Without wishing to diminish whatsoever the significance of the Ralph A. Marsicano Award (which is given annually by the Section for significant contributions to the development of local government law in Florida), we initiated annual recognitions for other areas of our practice.

My role as Chair (and by participation in the Section's Executive Council's activities) also served to establish or solidify long-lasting personal and professional relationships with attorneys across the State of Florida, and the nation, who serve in both private practice and as in-house counsel for their respective local government units. In the eight years since the end of my Chairmanship, my respect for the work and capabilities of all local government lawyers continues to grow. The respect the legal community and the local citizenry have for local government lawyers has likewise grown.

It is with those memories, and those benefits that I gained from my Chairmanship, along with a sense of gratitude that my fellow local government lawyers were willing to support my term as Chair of our Section, that I often think back fondly on my years as Chairman of the Section.