



# MAMA Annual Meeting

## **MML's LDF** How it Works and Recent Activities

Christopher J. Johnson

MML General Counsel and LDF Fund Administrator



# Legal Defense Fund (LDF)



The Legal Defense Fund was established in 1982 to assist members in cases that have a statewide impact.

The LDF is not a pool of cash for LDF members to tap into to pay their own legal fees when they are sued.



# LDF – How it Operates



The MML Board of Trustees designated the Michigan Association of Municipal Attorneys Board of Directors members of the LDF Board.

In addition, the MML Board of Trustees added the current President of the Michigan Municipal League and the current Executive Director and CEO of the MML to the LDF Board.



# LDF – How it Operates



The LDF members are MML members who pay a voluntary additional amount to become members of the LDF.

The LDF has been rolled into the League Financials as a department. The Finance Team will continue to provide supplemental statements reflecting current activity to this Board. The MML's General Counsel has been designated as the Fund Administrator.



# LDF – How it Operates



There is a process for requesting assistance from the LDF.

The process is spelled out in detail on the MAMA website at:

<https://mama-online.org/legal-defense-fund/>





# LDF – How it Operates



If a member requests assistance, the board will review the materials submitted. This may include the orders or opinions of the trial court, briefs submitted, and information from the community's counsel. The community will also have an opportunity to discuss this with the board.

The LDF board will decide on if the case should have an amicus brief submitted.



# LDF – How it Operates



If another organization (such as the Michigan Townships Association, Government Law Section or Michigan Association of Counties) approaches the LDF the process remains the same.



# LDF – Some Important Cases



## *Taxpayers for Michigan Constitutional Government et. al v. State of Michigan et. al.*

This involved a challenge to the methodology the State of Michigan used to calculate the ratio of state share versus local share of the ratio found in the Headlee Amendment.





## LDF – Important Cases



# *Upper Peninsula Power Co. v. Village of L'Anse et. al.*

This case involved the interpretation of constitutional provisions related to local units of government rights-of-ways and the application to franchise agreements.

