Welcome to the course on Local Government Law. This course considers the relationships that local governments develop with the states of which they are political subdivisions, with their residents, and with neighboring localities. It is, therefore, very much a course about “federalism,” but the federated governmental entities are more decentralized units of government than we normally discuss when we think about these issues. In addition, these units of government play a somewhat different role than states or the federal government in providing for their citizens. Local governments often are concerned with local economic conditions. As a result, local governments can often be analogized to firms. At the same time, local governments can be the focal point for political participation in ways that larger units of government cannot. One of the issues we explore in this course is the inherent conflict between the different roles that local governments play.

The primary readings for the course are from Baker and Gillette, *Local Government Law: Cases and Materials* (3d Edition 2004). Many of our discussions will focus on the Problems that are found in the assigned materials, rather than on direct discussion about the cases that inform those Problems. Thus, please prepare to discuss any of the Problems within the assigned pages.

Assignments do not necessarily correspond to class sessions. We will spend several class sessions on some assignments, less time on others. As a general rule, I suggest that you remain one assignment ahead of where we leave off at the end of any class.

A few ground rules now may avoid any unhappy misunderstandings later. I expect students to arrive in class prepared to discuss the day’s assignment. I will begin with volunteers, but reserve the right both to call on students and to take class participation into account when assigning final grades. Nevertheless, I understand that there are occasions when the press of other matters prevents full preparation of a day’s material. Should such an occasion arise, you may simply notify me before the day’s class begins that you are unprepared. You need not explain the reason for your inability to be prepared.

Should you wish to speak with me outside of class, I can generally be found in my office, Room 403, during daytime hours. Feel free to stop by. My office telephone number is 212-998-6749. If I should be occupied when you stop by, I will be happy to arrange a specific meeting time with you. I can also be reached through e-mail at clayton.gillette@nyu.edu. I will be pleased to respond to e-mails if you find this more convenient than personal meetings.

Assignment 1: Theoretical Perspectives -- pp. 9-31 (please also take a brief look at 31-46 and review it more carefully at your leisure at an early point of the semester).
Assignment 5: Annexation -- pp. 170-197.
Assignment 6: The State's Plenary Power and the Special Commission Exception -- pp. 201-222.
Assignment 7: Special Legislation -- pp. 222-243.
Assignment 8: Dillon's Rule -- pp. 243-274.
Assignment 12: The Selection of Local Services (Tiebout and Beyond) -- pp. 337-354.
Assignment 14: Constitutional Limits on Taxing and Spending -- pp. 384-418.
Assignment 15: Mandates for Expenditures -- pp. 448-459.
Assignment 16: Property Taxes -- pp. 459-472 (limited discussion); 485-506.
Assignment 17: Special Assessments and User Fees -- pp. 506-516; 528-529; 534-552.
Assignment 18: Debt Limitations and Their Avoidance -- pp. 552-585.
Assignment 19: Privatization of Municipal Functions -- pp. 588-607; handout case.
Assignment 21: Political Participation—Initiative and Referendum -- pp. 663-703.
Assignment 23: Interlocal Conflict -- pp. 736-753.
Assignment 25: Cities and Their Suburbs – pp. 773-786; 731-736.
Assignment 26: Favoring Residents Over Non-Residents -- 103-111; 786-809.