

Daily Journal

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MUNICIPAL LAW

Editors' Note

Now in its third year, the Daily Journal's municipal law supplement was established in recognition of the often unsung legal heroes who help guide local governments and their partners. The decisions facing their clients regularly affect thousands, including schoolchildren and retirees, and often their actions are met with heavy scrutiny or, worse, public outrage. Unquestionably, their work matters.

This year's 20 honorees represent a range of practice areas. Among them are water experts, precedent-setting litigators, a sign law specialist,

defenders of local revenues and the lawyer representing the state's largest city ever to have gone broke. Some come from the world of large law firms, while others remain relatively obscure.

While the matters they handle can be esoteric at times, these attorneys play a central role in making — and fighting — decisions that have tangible effects on the lives of everyday Californians. Though they're rarely in the spotlight, they leave indelible impressions on the communities in which we all live.

— The Editors

TOP 20 MUNICIPAL LAWYERS



Atkinson, Andelson, Loya, Ruud & Romo

Cerritos APLC

Specialty: labor and employment litigation

Nate J. Kowalski

The Metropolitan Water District of Southern California was facing claims against a former employee that he was fired in retaliation for filing a sexual harassment complaint. After in-house attorneys filed a motion for summary judgment, the district decided to call in Kowalski to argue it to the judge last year.

Los Angeles Superior Court Judge Ernest M. Hiroshige told Kowalski he was inclined to deny the motion.

"The real tricky thing about that situation is trying to persuade the judge to reconsider his conclusions and to take another look at the issues without offending him," Kowalski said.

But Kowalski gave Hiroshige enough to think about in oral arguments, and the judge granted summary judgment a month later.

Kowalski said it was an important case because the district had relied on an investigator to determine that the employee had fabricated a complaint of sexual harassment.

"It's common for employers to do investigations when they have internal claims of discrimination and harassment and it's nice to know that employers are given some latitude to rely on the results of those investigations and not have to go to trial in a case like this," he said.

In another major victory this year, Kowalski defeated a writ of mandate challenge by an employees association against the San Diego Superior Court for its layoff policies.

"It was really a surgical approach to cutting positions here or there where it would cause the least damage to the public service the court provides," Kowalski said.

Under a provision of the Government Code, the writ of mandate was assigned to a state appellate justice, whom Kowalski persuaded to agree the court could take into account job classification, not just seniority, in implementing layoffs.

— Hadley Robinson