

Legal Insights is a newsletter of timely and practical legal information that we hope you can use in your professional and personal pursuits. Please contact your attorney at Nicola, Gudbranson & Cooper if you have any questions or comments or if you would like to suggest topics of interest for future issues.



To legalize or not: Sports gambling in Ohio

The Supreme Court in May struck down a federal law that effectively prohibited states from legalizing sports betting, so it's now up to Ohio as well as other states to decide whether they should allow betting on professional and college sports.

Ohio law currently prohibits all gambling unless there is a specific exception, such as when Ohio voters approved four casinos in 2009. Jim Juliano writes that if Ohio lawmakers move forward to legalize sports gambling, they must consider a myriad of questions, from how the new industry will be regulated to what sports would be included or excluded.

[Read the full article.](#)

Settling sexual harassment claims may be more difficult under new tax law

Provisions in the Tax Cuts and Jobs Act of 2017 might make settlements of sexual harassment claims more difficult to achieve by discouraging confidential settlements, writes Matt Fitzsimmons. Under the act, employers may no longer deduct monetary settlements of sexual harassment claims —if the employer wants the terms of the settlement to be kept confidential. Plus, employers can no longer deduct attorneys' fees related to such confidential settlements.



[Read the full article.](#)

Schools told to reach for disabled children's potential

A landmark Supreme Court decision significantly altered the special education landscape a year ago by essentially prescribing more challenging programs for disabled children so they can reach their highest potential, rather than aiming for only minimal progress.



As Nick Dertouzos writes, lower courts and schools are now faced with applying the Supreme Court's pronouncement. One case involving the Akron Board of Education has already been decided—and is being appealed.

[Read the full article.](#)

SPOTLIGHT

Nicola, Gudbranson & Cooper's municipal law attorneys have extensive experience representing local governments. We provide advice and counsel to cities, towns and villages, and serve as law director and prosecutor in several Greater Cleveland communities. Our services extend to the roles municipalities have as employers and as stewards of public lands, as well as handling of citizen complaints and rules violations. We also assist in the regulation of local businesses and public utilities, and in their conduct with the public and impact on the environment.

NGC's municipal law practice is part of our public sector law practice and draws upon our knowledge of not only constitutional and administrative law, but also criminal law and numerous aspects of civil law. Those include employment, health care, real estate, probate and environmental law. We also provide vigorous representation in Ohio state and federal trial and appeals courts, as well as at the administrative level. Among the many other public sector clients we represent are school districts, regional agencies and a foreign government.

Our extensive expertise on matters of public sector law also allows us to effectively represent corporations, businesses and individuals seeking regulatory approval, including representation before zoning and planning boards and municipal courts.

[Read about our municipal law practice.](#)

FIRM NEWS

Rich Witkowski made a presentation in August on risk management to a group of certified public accountants through the Brunswick Companies, insurance and risk management, in Fairlawn. Rich also was a presenter in a webinar with Hanover Insurance Group of Worcester, Mass.

The *Beach Cliff Beacon* recently published "[AEDS in the Workplace](#)," regarding automatic external defibrillators, by **Matt Fitzsimmons**. In June, *Crain's Cleveland Business* featured Matt's article, "Settling sexual harassment claims may be more difficult under new tax law." The article is included in this issue of *Legal Insights*.

Jim Juliano made a presentation on negotiating sports franchise purchase agreements to a sports law class at the Case Western Reserve University School of Law. Jim is also an adjunct professor of law there.

Rick Cooper gave a seminar in estate planning and charitable giving for the Greater Cleveland Food Bank.

Brad Ortman speaks on immigration issues here and abroad

Brad Ortman spoke on "The Trump Administration's Immigration Enforcement Agenda, at the Border, at the Workplace, and in the Courts" at a Cleveland Metropolitan Bar Association (CMBA) luncheon sponsored by CMBA's International Law Section Sept. 26. He gave a comprehensive presentation on the government's efforts, the legal tools being used and how time-honored due process protections are being curtailed in Immigration Court.

Brad will be speaking Oct. 18 at the Ohio American Immigration Lawyers Association Fall Conference as part of a panel covering "Visa Processing Issues at U.S. Consulates Abroad." In attendance at this meeting will be immigration lawyers across Ohio and the Midwest.

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