



Courtney Gabbara Agrusa

Senior Attorney

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Courtney Gabbara Agrusa is a municipal law attorney, and she has been since the day she began her legal career as a staff attorney for a local City Attorney office. Based in Foster Swift's Southfield office, Courtney's practice focuses exclusively on working with Michigan counties, cities, villages, townships, and other governmental entities to provide counsel in municipal corporate and public sector labor matters. Having stood in her clients' shoes and sat shoulder to shoulder with them while collaborating, advising, advocating, negotiating, acting for, and learning from and on their behalf, Courtney knows first-hand the unique business and legal needs of municipal entities.

The role of municipal entities is constantly changing and being challenged. Courtney is passionate about her role as a daily resource helping her clients navigate their way to sound, effective decisions and actions. This is because as an insider and a community member, she recognizes the impact, directly and indirectly, a municipal entity's decisions and actions have on all members of those communities.

Municipal Law

"Municipal Law" can cover a wide range of issues including, but not limited to, elections, labor & employment, governance, zoning ordinances, taxes, special assessments, planning, codes & compliance, human resources, public safety, emergency services, civil rights, animal control, environmental, public works, contracts of all types (e.g., software, construction, affiliation agreements, urban cooperation contracts, and cell towers), libraries, tribal law, parks, and parking.

Except for criminal prosecutions, Courtney's direct experience in a local City Attorney's office, including serving as Interim City Clerk; at a boutique municipal law firm for almost six years; and at Foster Swift includes advising and representing municipal entities in all the areas described above and more.

PRACTICE AREAS

Election & Campaign Finance Law
Employment Law
Freedom of Information Act
Labor Relations
Municipal & Public Entity Law
Open Meetings Act
Zoning & Land Use

EDUCATION

Michigan State University College of Law, J.D., 2012
Michigan State University, B.S. in Psychology, 2009

BAR AND COURT ADMISSIONS

Michigan
U.S. District Court for the Western District of Michigan
U.S. District Court for the Eastern District of Michigan

HONORS & RECOGNITIONS

Jurisprudence Achievement Award, Michigan State University College of Law, 2012



Knowing her area of expertise is the law, Courtney believes collaboration is the key to success when working with municipalities. Taking the approach that her client contacts are subject matter experts in their own respective lines of work (e.g., tax, public works, code compliance, finance, and zoning), Courtney works closely with her clients to ensure she understands their needs, goals, and perspectives. This type of collaboration and work dynamic allows Courtney to build strong working relationships with her clients and to provide the high quality legal services her clients need.

A typical week includes attending council, commission, and board meetings; meeting with, talking with, and advising her clients; reviewing and revising contracts, ordinances, and millages; researching and drafting opinions and memoranda; appearing in court; and negotiating public employer labor and employment matters.

Some of the statutes Courtney regularly deals with include:

- Freedom of Information Act (FOIA)
- Open Meetings Act (OMA)
- Michigan Zoning Enabling Act (MZEA)

Municipal Employment & Labor Matters

One of Courtney's sub-niches within Municipal Law is the navigation and litigation of labor and employment matters. These include employee disciplinary matters, labor negotiations, grievance arbitrations, unfair labor practices, Equal Employment Opportunity Commission Charges, Michigan Department of Civil Rights Complaints, Unemployment Insurance Agency Appeals, and recall appeals.

Her public employer clients also call on her for a vast range of hands-on support, from facilitating meetings between unhappy employees, their union representatives, their direct supervisors, and HR, to preparing last chance agreements, disciplinary agreements, and termination documents, negotiating resignations in lieu of termination, and actually terminating employment. She regularly drafts, reviews, and revises personnel policies, procedures, and handbooks.

Employment related statutes Courtney regularly deals with include:

- Americans with Disabilities Act (ADA)
- Fair Labor Standards Act (FLSA)
- Paid Medical Leave Act (PMLA)
- Family Medical Leave Act (FMLA)

Michigan Election Law

If necessity is the mother of invention, a dearth of election lawyers gave Courtney the opportunity to turn herself into one early in her career becoming the designated lawyer on all election matters for several municipal clients. Since then, she has never looked back.



Having served, by necessity, as an Interim City Clerk during a challenging election year, Courtney recognizes first-hand the scrutiny municipal entities face, and the personal toll it takes on individuals, when it comes to matters involving elections.

She is now routinely retained to help municipalities with full-time or part-time Clerks get through and survive turbulent election scenarios under intense time constraints. Courtney consults clients on recall issues, recounts, and other election challenges, resulting in the litigation of recall appeals and oversight of recounts. She also consults with them before election cycles in a preventive law capacity.

PUBLICATIONS

Lindke v. Freed: When Public Officials Can Be Held Liable for Blocking Individuals on Social Media, *Foster Swift Municipal Law News*, March 25, 2024

Independent Contractor Final Rule Could Have Major Impact on Select Industries, *Labor & Employment Law News E-blast*, January 30, 2024

Update: Whitmer Signs Energy Bills, Restricting Facilities, *Foster Swift Municipal Law News E-blast*, November 30, 2023

Proposed Bills to Affect Energy Facilities, *Foster Swift Municipal Law News E-blast*, November 16, 2023

MEMBERSHIPS & AFFILIATIONS

Legal Affiliations:

- State Bar of Michigan
 - Government Law Section
 - Insurance and Indemnity Law Section
 - Labor and Employment Law Section
- Chaldean American Bar Association
 - Member (2017-Present)
- Michigan State University College of Law Alumni Association
 - President (2022-Present)
 - Vice President (2019-2022)
- U.S. District Court for Western District of Michigan
 - Member (2018-Present)
- Ms. JD Board, National Women Law Students' Organization
 - Board Member (2011-2015)

Community Affiliations:

- Chaldean Americans for Whitmer Leadership Council
 - Member (2022)



- Chaldeans Advisory Counsel for Biden/Harris
 - Member (2020)