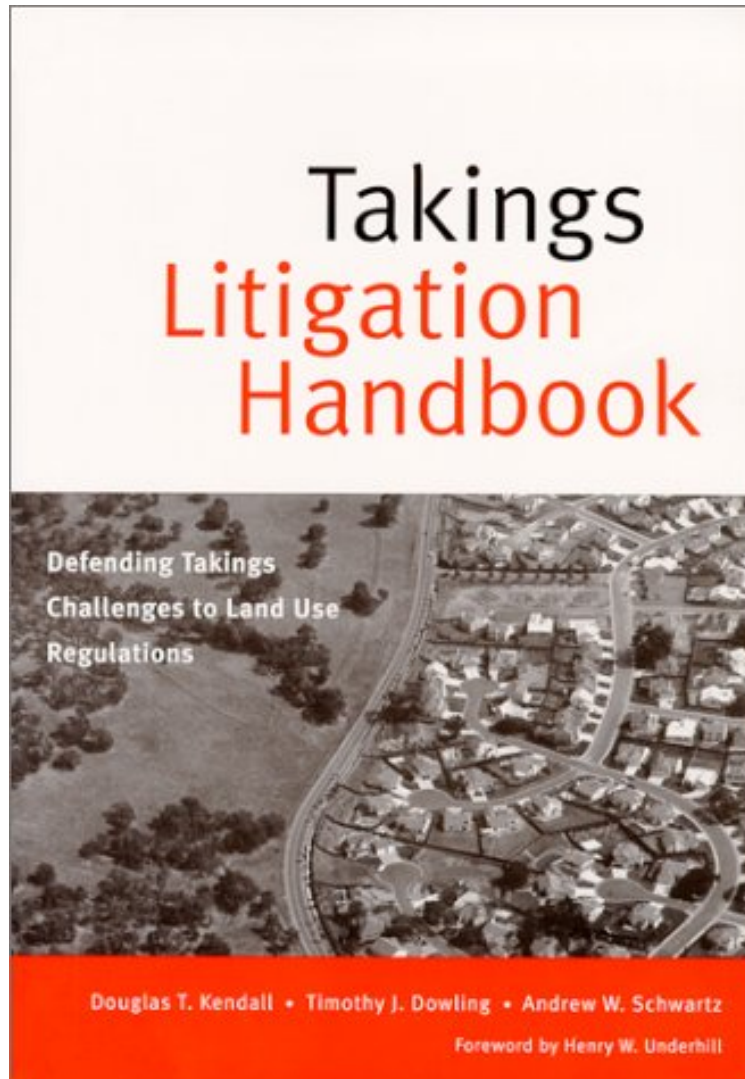


Takings Litigation Handbook : Defending Takings Challenges to Land Use Regulations

Timothy J. Dowling, Andrew W. Schwartz, Douglas T. Kendall
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Timothy J. Dowling, Andrew W. Schwartz, Douglas T. Kendall : Takings Litigation Handbook : Defending Takings Challenges to Land Use Regulations before purchasing it in order to gage whether or not it would be worth my time, and all praised Takings Litigation Handbook : Defending Takings Challenges to Land Use Regulations:

2 of 2 people found the following review helpful. Invaluable ResourceBy Glenn P. SugameliFinally, THE book that everyone concerned with defending against "property rights/ takings" challenges MUST have! This book includes extensive practical pointers, analysis of procedural and substantive defenses and discussions of cases that were decided

as recently as Feb. and March, 2000. The Fifth Amendment provides "nor shall private property be taken for public use without just compensation." Unwarranted takings claims have been used to threaten a wide range of smart growth, environmental, planning, historic preservation, health, safety, zoning, and other safeguards that protect people and neighboring property without taking property rights. Takings Litigation Handbook is an invaluable resource for local, state and federal government attorneys, officials, planners, judges, academics, concerned NGOs and private citizens. It covers everything from general principles to procedural defenses to pretrial motions and discovery. For many years, I have written National Wildlife Federation briefs opposing takings claims in state and federal courts and the U.S. Supreme Court, including in support of successful government appeals of state court takings judgments in Florida, Wisconsin, Michigan, California, and South Carolina. I have also written numerous takings law review articles, speeches, and CLE materials, and have advocated strongly against state and federal legislative takings proposals. Based on my experience, this book is essential not only for specialists, but for anyone who has an interest in defending against actual or threatened unjustified takings claims. Glenn P. Sugameli...

No government attorney, land use planner, or other local official can effectively protect their community from harmful land use without a working knowledge of takings law. Developers and other landowners increasingly are attempting to use takings litigation -- or the mere threat of takings litigation -- to convince government agencies to relax or abandon vital protections for our neighborhoods and natural environment. The Takings Litigation Handbook begins with practical suggestions for the development of a proper record, obtaining insurance coverage, and filing preliminary motions. It then discusses in detail the procedural and substantive defenses that should enable the local government to prevail in takings cases. It finally addresses the issue of calculating damages in the unlikely event that liability for a taking has been found. It is the first ever 'soup to nuts' Handbook for defending land use regulations from takings challenges.

The Handbook does an outstanding job of providing government lawyers with the analytical framework and strategic planning... -- Richard J. Lazarus The authors have rendered a tremendous service in preparing this Takings Litigation Handbook. -- Henry W. Underhill This work is too modestly identified as a 'Handbook.' It is far more... -- Robert H. Freilich About the Author Douglas Kendall is founder and Executive Director of Community Rights Counsel, a Washington D.C.-based, nonprofit, public interest law firm which assists communities protect health and welfare by regulating permissible land uses. Timothy Dowling is Chief Counsel of Community Rights Counsel. Andrew Schwartz is a Deputy City Attorney for the City and County of San Francisco, and a co-founder of the California Community Land Use Project, a coalition of public agency attorneys and others working to balance individual interests with those of the greater community.