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NATIONAL POLICE ACCOUNTABILITY PROJECT

POLICE MISCONDUCT LITIGATION

*Sponsored with the
National Lawyers Guild
Amnesty International USA
ACLU of Southern CA*

*Saturday, January 20, 2007
Loyola Law School
Los Angeles, CA*

Police misconduct litigation is an area of law that is in constant change. Decisions on qualified immunity in excessive force cases present new challenges to plaintiffs. Increasing sophistication on the part of the defense bar and the dominance of a conservative judicial philosophy on the federal bench, have led to decisions narrowing the scope of constitutional protections for people injured by police misconduct, while expanding the immunities from suit afforded to officers.

To help lawyers successfully bring police misconduct cases, the National Police Accountability Project of the National Lawyers Guild, along with the Center for Advanced Legal Studies of Suffolk Law School, are bringing together experts on police misconduct to teach techniques you can apply in your practice. *Police Misconduct Litigation* presents leading academics who explain the impact of recent decisions on your cases. Their analysis is certain to assist you in formulating case strategies. In addition, experienced litigators address practical concerns in trying cases on behalf of prisoners and detainees, the effective use of experts and how to handle inmate damage claims.

Attorneys from the Lawyers Guild have taken the lead across the country in developing strategies for successfully litigating police misconduct for the past 30 years. The Police Accountability Project consists of plaintiffs' attorneys across the country. Come and learn what you need to know to navigate your case through the minefield of challenges in this area.

CENTER for ADVANCED LEGAL STUDIES

120 Tremont Street, Boston MA 02108-4977



CENTER for ADVANCED LEGAL STUDIES
Comprehensive Learning Experience for a Changing Legal Environment

SCHEDULE/AGENDA

- 9:00 Welcome & Introductions**
Paul L. Hoffman, Esq., Co-Chair, Schonbrun, DeSimone, Seplow, Harris and Hoffman LLP, Venice, CA
R. Samuel Paz, Esq., Co-Chair, Los Angeles, CA
Carol Sobel, Esq., President, National Lawyers Guild LA Chapter, Regional Vice President, National Lawyers Guild
- 9:10 Qualified Immunity in the Excessive Force Case: Working Through the Maze**
- The Supreme Court's latest decision: Is there hope after *Brosseau*?
 - What *Saucier*, *Hope*, and *Brosseau* mean for the "clearly established law" analysis
 - Getting discovery before resolution of the qualified immunity
 - What happens to the qualified immunity defense if the case goes to trial?
 - Should a jury ever decide the qualified immunity question?
- Professor Karen Blum, Suffolk University Law School, Boston, MA*
- 10:00 Q & A**
- 10:10 Hot Issues in §1983 Litigation**
 Recent developments in the law and cases on review before the Supreme Court and Circuits that may impact §1983 litigation.
Professor Erwin Chemerinsky, Alston & Bird Professor of Law and Professor of Political Science, Duke University School of Law
- 11:00 Q & A**
- 11:10 Break**
- 11:25 Class Action Litigation on Behalf of Prisoners and Detainees**
 Class actions for systemic civil rights violations in the jails on a variety of issues, including claims for skin infections, over detention, misidentification driven wrongful detention, and unconstitutional strip searches.
Barry Litt, Esq., Litt, Estuar, Harrison, Miller & Kitson, LLP, Los Angeles, CA

**NATIONAL LAWYERS GUILD'S
 NATIONAL POLICE ACCOUNTABILITY PROJECT**
 For more information about NPAP, please visit:
www.nlg.org/npap
 To join NPAP, call (617) 227-6015
 or email npap@nlg.org

- 12:10 Q & A**
- 12:20 Lunch**
- 1:30 The Use and Abuse of Police Practices Experts in Federal Court**
- Preparing the plaintiff's expert and the Rule 26 report.
 - Deposing the defense's expert.
 - Challenging the scope of the defense expert's testimony with a motion in *limine*
 - Presenting the plaintiff's expert at trial
 - Cross-examining the defendant's expert at trial
- John Burton Esq., The Law Office of John Burton, Pasadena, CA*
Lt. Roger A. Clark (ret.), formerly of the Los Angeles County Sheriff's Department
- 2:15 Q & A**
- 2:25 Inmate Damages Claims for Denial of Medical Care**
 Liability for jail suicide and suing for deliberate indifference in medical care
Sonia M. Mercado, Esq., Sonia Mercado & Associates, Los Angeles, CA
R. Samuel Paz, Esq., Co-Chair, Los Angeles, CA
- 3:10 Q & A**
- 3:20 Break**
- 3:30 International Human Rights Panel**
- The basic principles applicable to using international human rights law in U.S. courts in civil rights and related actions
 - Litigation under the Alien Tort Claims Act, as well as claims and defenses based directly on international treaties and customary law
 - Survey of existing case law and exploration of potential new areas for international human rights litigation.
- Paul L. Hoffman, Esq., Co-Chair, Schonbrun, DeSimone, Seplow, Harris and Hoffman LLP, Venice, CA*
Professor William J. Aceves, California Western School of Law San Diego, CA
*Matt Eisenbrandt, Esq., Legal Director
 The Center for Justice & Accountability, San Francisco, CA*
- 4:15 Q & A**
- 4:30 Conclude**

INFORMATION

DATE AND TIME: Saturday, January 20, 2007, 9:00 a.m. - 4:30 p.m.

TUITION: Tuition is \$249; \$199 for attorneys admitted to the bar after 2004, NPAP, NLG, ACLU and Amnesty Int'l members. \$50 for students. Centennial Scholarships are available, please call 617-573-8627.

HOTEL: A block of hotel rooms has not been reserved. However, the Sheraton Los Angeles Downtown Hotel (213) 488-3500 and the Omni Los Angeles Hotel (213) 617-3300 are located close to Loyola.

CREDIT: The ACLU Foundation of Southern California is a State Bar of California approved MCLE provider and certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing Minimum Continuing Legal Education.

WALK-INS: Space is limited. Registrations at the door are welcome, but please call in advance to confirm space availability.

REFUNDS: Written requests for cancellations received via fax or email 24 hours prior to the program will be granted a refund, minus a \$15 charge. If you cannot attend, you can send a substitute, otherwise you will receive the written course materials.

SPECIAL NEEDS: If you have special needs addressed by the Americans with Disabilities Act, please notify us as soon as possible.

BOOK ORDERS: If you are unable to attend, you may order the course materials for \$79 (includes shipping) and will be sent after January 20.

**QUESTIONS OR COMMENTS? PLEASE CALL (617) 573-8627
 OR REGISTER ONLINE WWW.LAW.SUFFOLK.EDU/ALS**

Suffolk Alumni? _____ Year Admitted to the Bar? _____

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Please register me for **Police Misconduct Litigation**

I'm unable to attend, but would like to purchase the course book

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