33rd Annual
SECTION 1983 CIVIL RIGHTS LITIGATION CONFERENCE
EASY WAYS TO REGISTER

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cle.kentlaw.edu

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312.906.5090

MAIL
Office of CLE
Chicago-Kent College of Law
565 W. Adams Street
Chicago, IL 60661-3691
Liability arising out of §1983 claims continued to present challenges for courts across the country in 2015, and the Supreme Court once again has had an impact in this dynamic area of law. This conference, now in its 33rd year, will keep you up-to-date on the latest cases, trends, and strategies affecting §1983 litigation. You will have the opportunity to examine both the law of §1983 as well as the litigation strategies that underlie successful cases. Experts in the field will address the most important issues and provide wisdom for you as you tackle this year’s cases, whether you represent plaintiffs or defendants. As always, the conference will provide an analytical approach to problems and offers practical advice about how to solve them.

CONFERENCE AT A GLANCE

THURSDAY, APRIL 14, 2016

8:00am–8:50am
Registration

8:50am–9:00am
Welcome

9:00am–10:15am
The Section 1983 Claim

10:15am–10:30am
Break

10:30am–11:45am
Municipal & Supervisory Liability

11:45am–1:00pm
Lunch, on your own

1:00pm–2:00pm
Equal Protection Hot Topics

2:00pm–3:15pm
Practical Considerations in Section 1983 Litigation

3:15pm–3:30pm
Break

3:30pm–4:45pm
Attorney’s Fees & Related Ethical Issues

FRIDAY, APRIL 15, 2016

9:00am–10:15am
Individual Immunities

10:15am–10:30am
Break

10:30am–11:45am
New This Year!
The 4th Amendment: Overview & Update

11:45am–1:00pm
Lunch, on your own

1:00pm–2:00pm
New This Year!
The Religion Clauses, RLUIPA and RFRA

2:00pm–3:30pm
The Supreme Court’s Term: Recent & Forthcoming Decisions

3:30pm
Adjourn
PROGRAM CHAIR AND FACULTY

PROGRAM CHAIR

Sheldon H. Nahmod  
Distinguished Professor of Law  
Chicago-Kent College of Law  
Chicago, Illinois

Professor Sheldon Nahmod is a leading expert on constitutional law, civil rights and the law of §1983. He is the author of Civil Rights and Civil Liberties Litigation: The Law of Section 1983 (4th ed. 2015) and has argued civil rights cases before the U.S. Supreme Court and many other federal courts. He has also lectured to federal judges on §1983. He is a graduate of the University of Chicago and Harvard Law School. Professor Nahmod received the Lifetime Achievement Award of the State and Local Government Law Section of the ABA for his work in §1983 jurisprudence.

He blogs on §1983 and constitutional law at nahmodlaw.com and can be followed on Twitter @NahmodLaw.

PROGRAM FACULTY

Gerald M. Birnberg  
Founding Partner  
Williams, Birnberg, & Anderson LLP  
Houston, Texas

Karen M. Blum  
Professor of Law  
Suffolk University Law School  
Boston, Massachusetts
Erwin Chemerinsky  
Founding Dean and Distinguished Professor of Law  
University of California, Irvine School of Law  
Irvine, California

Rosalie B. Levinson  
Phyllis and Richard Duesenberg Professor of Law  
Valparaiso University School of Law  
Valparaiso, Indiana

John B. Murphey  
Partner  
Rosenthal, Murphey, Coblentz, & Donahue  
Chicago, Illinois

David Rudovsky  
Founding Partner  
Kairys, Rudovsky, Messing, & Feinberg LLP  
and  
Senior Fellow  
University of Pennsylvania Law School  
Philadelphia, Pennsylvania
THURSDAY, APRIL 14, 2016

8:00am-8:50am
Registration

8:50am-9:00am
Welcome

9:00am-10:00am
The Section 1983 Claim
• Section 1983 and the 14th Amendment
• Selected constitutional claims
• Kingsley and pretrial detainees
• Causation and the Mt. Healthy burden-shift
• The Heck v. Humphrey complication
• Due process: affirmative duties
• Malicious prosecution

Sheldon H. Nahmod, Distinguished Professor of Law, Chicago-Kent College of Law

10:00am-10:15am
Questions

10:15am-10:30am
Break

10:30am-11:30am
Municipal and Supervisory Liability
• Pleading Monell claims after Iqbal
• Monell’s application to private corporations
• What constitutes a policy? Who’s a final policy maker? Whose policy is it?
• Single incident liability? Impact of the Supreme Court’s decision in Connick v. Thompson on failure-to-train claims
• Post-Iqbal developments in liability of supervisors
• Bifurcation: when and why?

Karen M. Blum, Professor of Law, Suffolk University Law School

11:30am-11:45am
Questions

11:45am-1:00pm
Lunch, on your own

1:00pm-1:50pm
Equal Protection: Hot Topics
• Proving intentional class-based animus and domestic violence claims
• Suspect classifications and fundamental rights
• Affirmative action and state bans on affirmative action
• Discrimination based on sexual preference and same-sex marriage
• Class-of-one discrimination
• Supervisory liability for and immunity from equal protection violations

Rosalie B. Levinson, Phyllis and Richard Duesenberg Professor of Law, Valparaiso University School of Law

1:50pm-2:00pm
Questions

2:00pm-3:00pm
Practical Considerations in Section 1983 Litigation
• Plaintiffs’ and defendants’ perspectives
• Realistic view of the case
• Settlement
• Pre-trial matters
• Trial
• Post-trial

John B. Murphey, Partner, Rosenthal, Murphey, Coblentz, & Donahue

3:00pm-3:15pm
Questions

3:15pm-3:30pm
Break

3:30pm-4:30pm
Attorney’s Fees and Related Ethical Issues
• Issues in recently decided Supreme Court attorney’s fees cases (standards controlling awards to prevailing defendants; fees for modest injunctive relief without money damages; costs recoverable by prevailing defendants; timeliness of notice of appeal; adjustments to the lodestar; pre-judgement interest on attorney’s fees)
• Recently decided Seventh Circuit attorney’s fees cases
Ethical issues in §1983 cases (including Rule 68 issues, conflicts of interest, frivolous claims)

Gerald M. Birnberg, Founding Partner, Williams, Birnberg, & Anderson LLP

4:30pm-4:45pm
Questions

4:45pm-5:45pm
Reception, Co-Sponsored by

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FRIDAY, APRIL 15, 2016

9:00am-10:00am
Individual Immunities

• Absolute immunities for prosecutorial, legislative, and judicial acts
• The standard for qualified immunity: What is clearly established law that a reasonable officer should know? The recent Supreme Court cases: Plumhoff v. Richard; Wood v. Mass; Lane v. Franks
• The sequence for analyzing qualified immunity questions: Pearson v. Callahan and its significance
• Pleading in light of Ashcroft v. Iqbal
• Liabilities and immunities for private party defendants: Minecci v. Pollard; Richardson v. McKnight

Erwin Chemerinsky, Founding Dean & Distinguished Professor of Law, University of California, Irvine School of Law

10:00am-10:15am
Questions

10:15am-10:30am
Break

10:30am-11:30am
The 4th Amendment: Overview and Update

• Expectations of privacy: the impact of new technologies
• Stop & frisk and other proactive policing measures: the significance of comprehensive data
• Qualified immunity, the exclusionary rule, and remedies for Fourth Amendment violations
• Regulatory and public safety searches

David Rudovsky, Founding Partner, Kairys, Rudovsky, Messing, & Feinberg, LLP & Senior Fellow, University of Pennsylvania Law School

11:30am-11:45am
Questions

11:45am-1:00pm
Lunch, on your own

1:00pm-1:45pm
The Religion Clauses, RLUIPA and RFRA

• The Establishment Clause: prayer, religious displays, and financial support for education
• The Free Exercise Clause: the all-important Smith (peyote) decision
• Congressional responses to Smith: RLUIPA and RFRA
• RFRA struck down as applied to state and local governments: City of Boerne
• RFRA as applied to the federal government: the Hobby Lobby decision

Sheldon H. Nahmod, Distinguished Professor of Law, Chicago-Kent College of Law

1:45pm-2:00pm
Questions

2:00pm-3:15pm
The Supreme Court’s Term: Recent and Forthcoming Decisions

• Fourth Amendment developments, including duration of car stops and the scope of the administrative search exception to the warrant requirement
• First Amendment developments, including local government regulation of signs, regulation of speech in judicial campaigns, government speech, and First Amendment rights of non-union members
• Constitutional rights including marriage equality, voting, and state regulation of abortions
• Civil rights developments, including claims under the Pregnancy Discrimination Act, Title VI, and the Fair Housing Act

Erwin Chemerinsky, Founding Dean & Distinguished Professor of Law, University of California, Irvine School of Law

3:15pm-3:30pm
Questions

3:30pm
Adjourn

“Prof. Chemerinsky is so good he almost makes me want to go back to law school ... almost.” – Previous Attendee
**UPCOMING CONFERENCES**

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<th>Date</th>
<th>Event</th>
<th>MCLE Credit</th>
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<td>ABA TechShow 2016 Law School Technology Roundtable</td>
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<tr>
<td>March 22, 2016</td>
<td>38th Annual Kenneth M. Piper Lecture <em>(free!)</em></td>
<td>Eligible for 1.25 hours of IL MCLE Credit</td>
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<tr>
<td>April 29, 2016</td>
<td>3rd Annual eDiscovery Institute</td>
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<tr>
<td>May 19, 2016</td>
<td>35th Annual Federal Tax Institute</td>
<td>Eligible for 7.0 hours of IL MCLE Credit</td>
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<tr>
<td>June 9, 2016</td>
<td>35th Annual Conference on Not-For-Profit Organizations</td>
<td>Eligible for 6.75 hours of IL MCLE Credit</td>
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**WHO SHOULD ATTEND THE §1983 CONFERENCE?**

- Municipal & State Attorneys
- Plaintiffs’ Attorneys
- Criminal Defense Attorneys

**WHY ATTEND?**

This is a must-attend event for anyone who needs the most current information on the happenings in section 1983.

During this conference you will:
- Hear directly from the most prominent academics and practitioner experts in the field
- Interact directly with each speaker during Q&A
- Connect and learn from your peers nationwide

“*I will try to attend every year. This is only my second time but there’s so much new to learn that annual attendance is almost necessary to keep abreast of developments.*” - Previous Attendee

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**INTERESTED IN SPONSORSHIP OPPORTUNITIES?**

Get in front of your audience first-hand when you confirm your support as a session sponsor. Be everyone’s favorite phrase when you become a Wi-Fi sponsor. These are just a couple of the opportunities available throughout the spring and fall.

Contact Kelly Calvanico, CLE Director, at 312.906.5091 or kcalvani@kentlaw.iit.edu for further information.
ORDER SECTION 1983 COURSE MATERIALS

Can’t attend? Program materials and live CD recordings of the presentations will be available for purchase. Please make your selection(s) below. Note, these materials are not interactive and are not eligible for Illinois MCLE credit.

☐ $495  **Full Set**  
 Printed course book and CDs of all sessions

☐ $150  **Hard Copy Materials**  
 Printed course book only

☐ $75 per session  **Single Session Recording**  
 CD(s) of individual presentations from the 2016 conference:

☐ The Section 1983 Claim
☐ Municipal and Supervisory Liability
☐ Equal Protection: Hot Topics
☐ Practical Considerations in Section 1983 Litigation
☐ Attorney’s Fees and Related Ethical Issues
☐ Individual Immunities
☐ The 4th Amendment: Overview and Update
☐ The Religion Clauses, RLUIPA and RFRA
☐ The Supreme Court’s Term: Recent and Forthcoming Decisions

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*For information on additional state accreditations, contact the Office of CLE at cle@kentlaw.iit.edu.

HOTEL ACCOMMODATIONS

We have negotiated a special rate for our conference attendees at the following hotels:

The Crowne Plaza Chicago Metro is located just four blocks from Chicago-Kent in Greektown and is a union hotel. Rooms are available at the group rate of $159/night plus tax. Reservation may be made by contacting the hotel directly at 312.829.5000 or online at www.crowneplaza.com/chicagometro. When registering online enter the group code CR2. To enjoy this special group rate, reservations must be made by March 16, 2016. Please be sure to mention you are attending the Chicago-Kent Section 1983 Civil Rights Litigation Conference when making your reservations to receive our special group rate.

The Hotel Allegro is a boutique Kimpton property located in the Theater District and is a union hotel. It is a short cab ride to the law school. Rooms are available at the group rate of $189/night plus tax. Reservation may be made by contacting the hotel directly at 1.800.KIMPTON or online at www.allegrochicago.com. When registering online enter the group code 12400207516. To enjoy this special group rate, reservations must be made by March 14, 2016. Please be sure to mention you are attending the 2016 1983 Civil Rights Litigation Conference when making your reservations to receive our special group rate.

The Crowne Plaza Chicago Metro
733 W. Madison Street
Chicago, IL 60601
Phone: 312.829.5000
www.crowneplaza.com/chicagometro
Group Code: CR2

The Hotel Allegro
171 W. Randolph Street
Chicago, IL 60601
Reservations: 1.800.KIMPTON
Local phone: 312.236.0123
www.allegrochicago.com
Group Code: 12400207516

CANCELLATION POLICY

A full tuition refund will be granted if received by March 18, 2016. Tuition, less a 25% cancellation fee will be granted if received between March 19, 2016 and April 8, 2016. No refunds will be granted if received after April 8, 2016, but a substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive access to the written materials. Registrations made with a purchase order not cancelled before the April 8 deadline will be charged 25% of the registration fees. Email cancellation notices to cle@kentlaw.iit.edu.
EVENT DETAILS

PRICING

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Graduation Year: 

Have you attended this conference for 10+ years? Call for a special rate.

*To qualify for the group pricing d-nt you need only register 3 or more individuals at the same time, does not apply with other discounted rates.

REGISTRATION FORM

Name(s) (please print)     Professional Title(s)

Firm/Company/Organization

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Special Dietary Requirements or Accessibility Needs?

CLE Credit?  Yes  No  Which State(s)?

Attorney Registration #

Registration Code (Enter characters appearing on the mailing label. Please enter this ID even if the label is addressed to someone else. Thank you!)

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Name on Card

Card Number   Expiration Date   CSV Code

Signature

Billing Address, City, State, Postal Code

☐ Payment by Purchase Order
   Purchase Order Number:

NOTE: Registration form must accompany payment information, a purchase order, or a voucher. Purchase orders or vouchers will not be accepted unless a hard copy is submitted with an assigned purchase order or voucher number.

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