

# Police Misconduct Litigation

*The latest on prosecuting and defending civil rights cases under Section 1983*

Allegations of police shootings, “take-downs”, verbal abuse, and other forms of police misconduct dominate the national media. What does this mean for lawyers in Massachusetts who work on civil rights cases under Section 1983, and how can attorneys who hope to build their practice do so in this growing field?

This program provides up-to-the-minute information on the latest developments in both prosecuting and defending cases brought under Section 1983, including insider tactics and key legal updates. Expert practitioners delve deep into the major issues from multiple perspectives, using their wealth of experience to share practical tips and strategies for handling these cases from inception through trial. Their unique insights provide you not just with a thorough overview but a solid grounding in the very latest in this area of the law.

Topics covered include individual, supervisory and municipal liability; causes of action; scope of discovery; summary judgment; qualified immunity; trial; damages; and attorneys’ fees. The program demystifies the defense of qualified immunity and discusses the latest legal decisions of which every practitioner must be aware. If you practice in this area—or hope to—this program is for you.

## Agenda and written materials

- ▶ Legal Updates and Important Court Decisions
- ▶ Qualified Immunity
- ▶ Keys to Selecting and Profiting from These Cases
- ▶ Discovery Issues—How Not to Get Boggled Down
- ▶ Decisions on Who to Sue
- ▶ Keys to Obtaining and Defeating Summary Judgment
- ▶ Pre-Trial and Trial Defenses
- ▶ Litigation Strategies and Techniques
- ▶ Practicing in the Federal Court
- ▶ Pitfalls to Avoid
- ▶ Networking with Section 1983 Practitioners
- ▶ “Ask the Experts” Q&A Session

**Take this program and get this book—a \$245 value—FREE!**



### *Federal Civil Litigation in the First Circuit*

A unique ally in pursuing or defending your federal civil cases and appeals, *Federal Civil Litigation in the First Circuit* gives you authority and insight into the many aspects of federal civil practice. From the threshold dispositive motion through civil appellate practice, this manual guides you through the phases of litigation. Each chapter is full of case citations—over 1,000 cases—cited as well as federal rules authority and advice specific to practice in the First Circuit. Featured chapters offer

you valuable information on practice within the various districts within the First Circuit; the Districts of Massachusetts, Rhode Island, New Hampshire, Maine and Puerto Rico. Selected exhibits, including sample forms, critical standing orders, checklists and selected references get you the information you need to practice knowledgeably.

The editors of this practical guide to First Circuit practice have carefully selected federal court practitioners who collectively have hundreds of years of experience in First Circuit courtrooms, trying and appealing cases that have made legal history!

*With MCLE’s supplementation service, new supplements are mailed automatically with an invoice. If you do not wish to subscribe, please note on order form.*

#### TUITION includes written materials\*

- ▶ \$245
- ▶ \$220.50 MCLE Sponsor Members
- ▶ \$183.75 New Lawyers admitted to law practice after 2014, Pending Admittees, Law Students, and Paralegals

**25% discount!**  
Exclusively for new lawyers

**Earn up to 3 CLE credits**

#### CAN'T ATTEND?

 View the webcast—live or later, or download the mp3 recording at [www.mcle.org](http://www.mcle.org)

Available after Wednesday, February 1

 Audio CD  
\$135; \$121.50 MCLE Sponsor Members;  
\$101.25 New Lawyers admitted after 2014

*New this year—  
Recent case law  
regarding the use of  
force, deadly force  
and tasers*

#### FACULTY

Thomas R. Donohue, Esq.  
*Brody, Hardoon, Perkins & Kesten LLP, Boston, Chair*

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

Howard Friedman, Esq.  
*Law Offices of Howard Friedman, Boston*

Jessica Hedges, Esq.  
*Hedges & Tumposky LLP, Boston*

Leonard H. Kesten, Esq.  
*Brody, Hardoon, Perkins & Kesten LLP, Boston*

Susan M. Weise, Esq.  
*First Assistant Corporation Counsel, Law Department, City of Boston*

#### BOSTON

9:00 a.m. – 12:00 noon,  
Wednesday, January 18, 2017  
MCLE Conference Center,  
10 Winter Place, via Winter Street  
Program No. 2170089P01

#### LIVE WEBCAST

9:00 a.m. – 12:00 noon,  
Wednesday, January 18, 2017  
Register at [www.mcle.org](http://www.mcle.org)  
Program No. 2170089WBC

#### RECORDED WEBCAST

2:00 p.m. – 5:00 p.m.,  
Wednesday, February 1, 2017  
Register at [www.mcle.org](http://www.mcle.org)  
Program No. 2170089RBC



**Subscribe to the  
MCLE OnlinePass™**  
for instant access to  
this program and everything  
else MCLE has online—

**Learn more at [www.mcle.org](http://www.mcle.org)**

\*To receive the eBook instead of the print book of the MCLE manual accompanying this program, please register for the program online at [www.mcle.org](http://www.mcle.org) and select your preferred format.

# Order Form

REFERENCE # 17-020

## Choose from 5 easy ways to order!

- ▶ **ONLINE** enter your credit card order at [www.mcle.org](http://www.mcle.org).
- ▶ **MAIL** this order form with payment to MCLE, Inc., Ten Winter Place, Boston, MA 02108-4751.
- ▶ **FAX** your credit card order 24 hours a day to 617-482-9498.
- ▶ **CALL IN** your credit card order to (800) 966-6253, Monday – Friday, 8:30 a.m. – 5:30 p.m.
- ▶ **WALK UP** on the day of the program or **DROP IN** to MCLE's bookstore, Monday – Friday, 8:30 a.m. – 5:30 p.m.

### 1 CUSTOMER INFORMATION

Year Admitted to MA Bar \_\_\_\_\_ Title (if any) \_\_\_\_\_ BBO # \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_  
Firm/Agency \_\_\_\_\_  
Street Address \_\_\_\_\_ Suite/Floor \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP+4 \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_  
Order confirmation? Enter your email address: \_\_\_\_\_

### 2 ORDER DETAILS

Not an MCLE Sponsor Member? Become one today and receive the MCLE Sponsor Member discounted prices on this order! . . . . . (see fee chart on next page) . . . . .

MCLE SPONSOR MEMBER DUES \$

#### PROGRAMS

Product No.	Title	Automatic book update	Cost
_____	_____	Opt-out <input type="checkbox"/>	\$ _____
_____	_____	Opt-out <input type="checkbox"/>	\$ _____
_____	_____	Opt-out <input type="checkbox"/>	\$ _____

PROGRAMS SUBTOTAL . . . . \$

#### BOOKS & AUDIO CDs (For eBook options, visit [www.mcle.org](http://www.mcle.org))

Product No.	Title	Automatic book update	Cost
_____	_____	Opt-out <input type="checkbox"/>	\$ _____
_____	_____	Opt-out <input type="checkbox"/>	\$ _____
_____	_____	Opt-out <input type="checkbox"/>	\$ _____
_____	_____	Opt-out <input type="checkbox"/>	\$ _____

Shipping & handling \$ 8.50

BOOKS & AUDIO CDs SUBTOTAL . . . . \$

**GRAND TOTAL** \$

### 3 PAYMENT METHOD

Check payable to MCLE enclosed



Card number \_\_\_\_\_ Expiration date \_\_\_\_\_

Cardholder's name \_\_\_\_\_ Cardholder's signature \_\_\_\_\_

**M C L E**  
NEW ENGLAND

Massachusetts Continuing Legal Education, Inc.

Ten Winter Place, Boston, MA 02108-4751 ■ 617-482-2205 ■ MA toll free 800-966-6253 ■ FAX 617-482-9498 ■ [www.mcle.org](http://www.mcle.org)

Keep raising the bar.®

# Policies and Information

## Register early!

- For course agendas, hours, fees, and discounts, please refer to the respective seminar pages. The fee includes all written materials unless otherwise noted, program instruction, and refreshment breaks. Lunch may be enjoyed on your own.
- To reserve seating and written materials, please register in advance of the program.
- Upon registration, MCLE will e-mail a confirmation. Please check in with the registrar on the day of the program.
- Walk-in registrants are welcome, with the exception of limited enrollment programs. Please call us to confirm space availability and schedule.
- We accept cash, checks, MasterCard, Visa, American Express, and Discover.

## Need special assistance?

If you are a person with a disability or special needs, please let us know in advance so that we can arrange to make your visit as convenient and comfortable as possible. Call Pam Chapin at 617-896-1238 to make arrangements. For your convenience, MCLE also offers closed captioning  and transcripts of all recorded webcast programs, available to you online two weeks after the program date.

## Mandatory CLE credits

Record of attendance is kept and transmitted upon request to any jurisdiction having mandatory continuing education. MCLE is an accredited sponsor of continuing legal education for Rhode Island and our programs are regularly approved by Maine, New Hampshire, Pennsylvania, New York, Vermont, and other jurisdictions.

And, now, depending on the jurisdiction, lawyers can satisfy their mandatory CLE requirements online with MCLE's live webcasts, which include periodic attendance prompts and the opportunity to forward written questions to the faculty during the program, fill out an evaluation form and receive a certificate of attendance.

## If your plans change

If you're unable to attend a program you've registered for, you will receive an email notification shortly after about how to access the program on demand via webcast and/or downloadable mp3 file, including the written materials in electronic form, in full satisfaction of the tuition paid. If you prefer a refund, let us know by the end of the business day prior to the program and we'll refund your tuition after deducting a \$25 processing fee. Note that limited enrollment programs are an exception, cancellation of which require two weeks notice and are subject to a \$45 processing fee.

## Discounts for new lawyers

For the first three years of practice, MCLE offers new lawyers a 25% discount on all of its products, including programs (whether attending in person or via live or recorded webcast), books, course materials, audio CDs and mp3 recordings. If you were admitted to the bar after 2014, you can take advantage of the new lawyer prices listed throughout the catalog.

Pending admittees, law students and paralegals are eligible for a 25% discount on most MCLE programs.

New lawyers always pay the **LOWEST** price.

## Attorney scholarships

Attorneys with financial need who certify that they are unable to attend a program without financial aid may request a partial tuition scholarship in confidence by writing or emailing [scholarships@mcle.org](mailto:scholarships@mcle.org) at least two weeks in advance of the program.

## Save all year long— become an MCLE Sponsor Member!

Become a Sponsor Member and receive:

- **10% discount** on all programs, books, program materials, audio CDs, and mp3 recordings;
- Significant savings on a **subscription to MCLE's OnlinePass™**;
- Weekly **e-mail updates** and **advance notice** of sales and new product releases;
- The **highest level of service** offered by your own Sponsor Account Specialist;
- **Public recognition** on our website and in our catalogs and program materials.

MCLE Sponsorship runs for 12 months beginning September 1. The fee for firm, corporate law department, or agency membership is calculated based on the number of Massachusetts admittees within the organization. Benefits of membership extend to all lawyers and non-lawyer professionals associated with the organization.

- Solo Practitioners . . . . . \$95
- Firms by number of Massachusetts attorneys:
  - 2-5 . . . . . \$ 150
  - 6-10 . . . . . 250
  - 11-25 . . . . . 500
  - 26-75 . . . . . 1,000
  - 76-150 . . . . . \$ 2,500
  - 151-250 . . . . . 3,500
  - 251+ . . . . . 4,500