



## **Sword and Shield: A Practical Approach to Section 1983 Litigation**

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# Sword and Shield: A Practical Approach to Section 1983 Litigation

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Section 1983 claims are as legally and factually complex as ever. Every official policy or conduct of state government is potentially subject to a suit on some constitutional or statutory theory of liability – such as tracing the lines of authority that set forth the parameters for an illegal search and seizure claim, or examining the emerging retaliation theories brought by public employees. This guide provides you with a practical approach to this technically difficult and ever-evolving area of law.

Advice from leading professionals From large urban cities to rural villages, from school boards to transportation authorities, this book covers topics such as:

- Comprehensive review of the fundamentals of Section 1983 litigation;
- Procedural intricacies of Section 1983 litigation in federal court identifying ripeness, forum choice, and removal, and more;
- A comprehensive overview of Section 1983 litigation into state court, including a discussion of state court jurisdiction, forum choice considerations, the methodology of state court Section 1983 litigation, and more;
- A defense-oriented view of municipal liability under Section 1983;
- Police misconduct claims in the context of the complex search and seizure rules that police must follow under the Fourth Amendment;
- The constitutional rights of public employees
- The Section 1983 land use case from its inception to the Supreme Court's recent expansion of the right of property owners;
- Students' constitutional rights in public school settings;
- Individual immunity defenses under Section 1983

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