



# IMLA 2025 Mid-Year Seminar

Washington, D.C.

April 25 – April 28, 2025

## Friday – April 25, 2025

Time	Session	Speaker(s)
9:00 AM – 4:45 PM	<b>IMLA Registration &amp; Exhibitors</b> Registration will close from 12:00 PM-12:45 PM.	
8:30 AM – to 12:00 PM	<b>Board of Directors' Meeting</b>	
10:15 AM – 10:45 AM	<b>Welcome to IMLA Coffee Break</b> Join IMLA President and Executive Director for welcoming remarks and helpful tips for new and long-time attendees alike.	Amanda Karras & Jeff Dana
10:45 AM – 11:45 AM	<b>The Need to Audit Training, Internally and Externally as well as Policy and the Implications on Municipal Liability</b> This session focuses on the need to audit training. In a number of recent cases, courts have gone beyond a simple review of officer training records to determine if the officer was adequately trained on issues related to the case under review. In a number of cases, courts have scrutinized the content of the training and reached conclusions that use of force training was unprofessional and provided evidence of a failure to train and/or a custom and practice as the moving force behind unconstitutional force. The State of New Jersey Comptroller's Office recently issued a stinging rebuke of law enforcement training conducted by a private entity and recommended that prosecutors consider "Brady-Listing" any officer who attended the training. Additionally, in a number of cases it has been alleged that "warrior" style training in law enforcement encourages aggression which leads to excessive force. Over the last five years, some entities have recommended moving away from legal-based policies and move toward best practice-based policies that are more restrictive than the legal standards. This can impact state law claims particularly in jurisdictions that consider law enforcement policy that mandates officer conduct as creating a ministerial duty. It can also lead courts to move the law in the direction of the best practice. A failure to audit both policy and training can lead to municipal liability. In this time of nuclear settlements and verdicts the importance of such audits cannot be overstated.	Jack Ryan
10:45 AM – 11:45 AM	<b>Levels of Generality - The Modern Supreme Court's View on Qualified Immunity</b> In the last ten years, the Supreme Court has repeatedly made a point of correcting the lower courts for defining what qualifies as "clearly established" law at too high a level of generality. In doing so, they have asked courts to take a discerning view as to whether relied upon precedent is sufficiently similar to the case at hand, and have strongly suggested that a denial of qualified immunity requires a level of similarity not previously contemplated. But recent dissents to denials of petitions for writs of certiorari seem to show that the split among the Justices on this doctrine is growing deeper, with the Court's newest members potentially caught in the middle.	Joey Gutmann
11:45 AM – 12:45 PM	<b>Lunch Independently</b>	

12:55 PM – 1:55 PM	<p><b>Litigating § 1988 Attorney’s Fees Petitions: From Basics to Beyond</b></p> <p>Who is a prevailing party in a § 1983 claim that is entitled to recover fees under § 1988? What constitutes a valid petition for attorney’s fees under § 1988? What is the analysis the Court will undertake in determining a fee award? These and many other questions confound practitioners every day when a plaintiff seeks a fee shifting award under 42 U.S.C. § 1988. We will begin with the fundamentals and work our way to more complex issues in litigating these questions.</p>	Chris Balch
12:55 PM – 1:55 PM	How to Mitigate Damages in Big Damages Cases	Kelly Pierce & Michael Lyles
2:05 PM – 3:05 PM	<p><b>Navigating PFAS Litigation: Securing Municipal Remediation Funds</b></p> <p>This session will provide an in-depth look at the legal strategies and current overview of PFAS litigation, focusing on how municipal lawyers can protect clients and secure funds for PFAS remediation. As environmental concerns and regulations intensify, municipal attorneys must understand statute of limitations issues, emerging regulations, and the current status of nationwide PFAS litigation, including the importance of timely action. Mike Stag is a court appointed member of the Plaintiff’s Executive Committee for the AFFF MDL, the national PFAS litigation resulting in settlements currently valued at more than \$12.5 billion. He will share critical insights into the current settlements, future settlements, MDL status, significant deadlines, and the role of municipal attorneys in protecting public health by securing financial resources for their communities.</p>	Mike Stag & Ashley Liuzza
2:05 PM – 3:05 PM	<p><b>Press Coverage of Section 1983 Police Cases: The Kinda Good, the Bad, the Ugly</b></p> <p>This presentation will address the media’s coverage of Federal Civil Rights lawsuits against police officers. Actual press articles involving lawsuits against New York City police officers will be used to identify problems/challenges posed to defendants. The discussion will then address possible solutions and strategies.</p>	Patricia Miller
3:05 PM – 3:20 PM	<b>Coffee Break</b> – Coffee, Tea and Lemonade available to registrants.	
3:20 PM – 4:50 PM	<p><b>Supreme Court Update</b></p> <p>The Supreme Court continues to issue significant decisions for local governments and this term is no exception. The Court will decide cases related to Fourth Amendment liability in deadly force situations, so-called "majority discrimination" under Title VII, ghost guns, ambiguity in Clean Water Act permits among others. Hear from Supreme Court experts about these cases and how they will impact local governments.</p>	Paul Clement, Amy Howe & Kannon Shanmugam  Moderator: Amanda Karras
4:50 PM – 5:20 PM	<p><b>Amicus Awards / Scholarship Announcement</b></p> <p>Help us celebrate the pro bono authors that help make IMLA’s Amicus Program such a success! IMLA will also announce the winner of the IMLA Charles W. Thompson, Jr. Scholarship.</p>	
5:30 PM – 7:00 PM	<p><b>Welcome Reception</b></p> <p>Kick off the Seminar with the Welcome Reception taking place at the Omni Shoreham. Enjoy light hors d’oeuvres, drinks and networking! A badge is required for entry and the dress is business casual. We hope to see you there! Badge is required for entry! Guest tickets are available for purchase.</p>	

## Saturday – April 26, 2025

Time	Session	Speaker(s)
7:30 AM – 4:45 PM	<p><b>IMLA Registration &amp; Exhibitors</b></p> <p>Registration will close from 12:30 PM-2:00 PM.</p>	
7:45 AM – 8:45 AM	<p><b>State/Provincial Breakfast</b></p> <p>The State/Provincial Breakfast will give attendees an opportunity to sit down with fellow attendees from their area. Advance registration is required. If you would like to add the breakfast to your registration, please email <a href="mailto:info@imla.org">info@imla.org</a>.</p>	

9:00 AM – 10:00 AM	Disaster Relief TBA	Morgain Patterson, Victoria Takayesu Hamilton & Mimi Desjardins
9:00 AM – 10:00 AM	<p><b>The Public Liability Risks of Domestic Violence Response</b></p> <p>Responding to domestic violence calls is a routine occurrence for every police department in every jurisdiction. In addition to the human toll, the adequacy of law enforcement response can give rise to Section 1983 liability in a myriad of ways – including false arrest claims, gender discrimination claims, and the rare “state created danger” claim. This presentation breaks down domestic violence response scenarios and examines how these claims manifest and how to defend your City against each.</p>	Tony Fioretti & Emily Schnidt
10:10 AM – 11:10 AM	<p><b>First Amendment Audits</b></p> <p>First Amendment audits are happening in local governments across the country, where "auditors" seek to film municipal facilities, operations and interactions with municipal officers and employees. More often than not, the content recorded is posted by the auditor on social media platforms. The first half will review the First Amendment principles and federal case law associated with the use of recording equipment on municipal property and address considerations for creating reasonable time, place and manner rules regarding the use of recording equipment on public property. This course will also address employee safety and best practices for interacting with individuals who are conducting First Amendment audits.</p> <p>The second half of the presentation will provide insight into best practices for local governments to navigate complex First Amendment issues, such as 'First Amendment Audits' in municipal forums, especially libraries. It will also provide an overview on recent landmark cases clarifying government speech. Lastly, it will offer considerations and suggestions for municipalities to preserve First Amendment rights while simultaneously mitigating exposure to constitutional litigation.</p>	Katie Hodgdon & Jaclyn Munson <b>Moderator:</b> Susan Weise
10:10 AM – 11:10 AM	Police use of Deadly Force TBA	Jonathan Cooper & Andrew Pomager
11:10 AM – 11:25 AM	<b>Coffee Break</b> – Coffee, Tea and Lemonade available to registrants.	
11:25 AM – 12:25 PM	Use of Drones TBA	Elizabeth Smithers & Leila Lahbabi <b>Moderator:</b> Patricia Link
11:25 AM – 12:25 PM	<p><b>These are the Experts You are Looking For: Thoughts on Retaining, Using, and Combating Use of Force Experts</b></p> <p>Use of Force experts are commonplace in excessive force lawsuits against the police. But do you always need one? If so, when, and how can those experts help you? What do you look for in retaining and expert, and how do you manage the relationship after retention? How can you counter the other side’s expert? This presentation addresses these and other similar questions, with a focus on practical advice.</p>	David Matheus
12:25 PM – 2:00 PM	<b>Lunch Independently</b>	
2:00 PM – 3:30 PM	<p><b>Elections Have Consequences</b></p> <p>What should local governments expect for federal communications legislation and policies now that Republicans are in charge of the executive and legislative branches, and Brendan Carr has been named to be Chair of the Federal Communications Commission? This session will provide insights into the new Administration’s priorities and what that may mean for pending regulatory issues and funding related to cable, broadband, wireless and other communications topics of interest to local governments. The session will also address recent court developments, including changes in court review of federal agency decisions.</p>	Greg Caffas, Bennett Givens & Cheryl Leanza <b>Moderator:</b> Tillman Lay
2:00 PM – 3:30 PM	<p><b>Catching and Correcting Wrongful Convictions in The Normal Course of The Appellate Process</b></p> <p>This presentation offers an in-depth examination of the actual innocence legal standard and its role in identifying and addressing wrongful convictions. Using case examples, this CLE session highlights red flags like false confessions, prosecutorial misconduct, and tunnel vision, while discussing current legislative efforts and the critical role of judicial ethics in advocacy. Attendees will gain practical knowledge to recognize flawed</p>	Jeffrey Deskovic & Adam Johnson

	evidence and explore essential reforms needed to uphold justice within the appellate framework.	
3:30 PM – 3:45 PM	<b>Coffee Break</b> – Coffee, Tea and Lemonade available to registrants.	
3:45 PM – 4:45 PM	Immigration TBA	Susana Alcala Wood
3:45 PM – 4:45 PM	<b>Show Me Your Hands! Analyzing a Critical Element in Qualified Immunity</b> In a high-risk officer-suspect encounter, it is critical that the officer see both of the suspect’s hands, which must be open and empty. Hidden or closed hands can conceal weapons—sometimes very small weapons—that can pose an imminent and serious danger to the officer or to others. Attorneys who advise or defend officers in civil rights cases should be familiar with how the visibility (or invisibility) of a suspect’s hands can affect the officer’s qualified immunity. This presentation examines the controlling law in such high-risk encounters and offers guidance for the defense.	Robert Higgason
3:45 PM – 4:45 PM	<b>State League Meeting</b> This presentation is intended for state association counsel and will discuss how states and state leagues can fill in gaps during disasters and even step in completely if FEMA is dismantled. Hear from fellow state league counsel on initiatives in their state related to disaster response as well as local efforts in this area.	Morgain Patterson & Ben Mount

## Sunday – April 27, 2025

Time	Session	Speaker(s)
7:00 AM – 4:45 PM	<b>IMLA Registration &amp; Exhibitors</b>	
7:45 AM – 8:45 AM	<b>WONK Breakfast</b> For the WONK breakfast you will sign up for a table based on subject matter and sit down with the subject matter expert to enjoy a meal and discuss areas of interest. Advance registration is required. If you would like to add the breakfast to your registration, please email <a href="mailto:info@imla.org">info@imla.org</a> .	
9:00 AM – 10:30 AM	Fair Housing TBA	Elizabeth Hull & Isaac Rosen
9:00 AM – 10:30 AM	<b>Employment Law in the Wake of the New Administration's Executive Orders</b> It was a dark and stormy night. What will the day’s new dawn bring in the wake of Executive Orders and court rulings when it comes to DEI and employment law? This presentation will focus on the immediate impact public employers face from the torrents of recent White House executive orders, memos, and proclamations raining down - and suggest possible rewrites for client policies and practices. Additionally, do the strategies that municipal law offices and law firms use to recruit and retain legal talent have to drastically change in this new landscape? This presentation will give you the answers (at least until the next major pronouncements come out!).	Robin Cross & Lutfi Kharuf
10:30 AM – 10:45 AM	<b>Coffee Break</b> – Coffee, Tea and Lemonade available to registrants.	
10:45 AM – 11:45 AM	<b>Incorporating ESG Principles into Public Construction Law: Legal Considerations for Municipal Projects</b> This presentation will examine the integration of Environmental, Social, and Governance (ESG) principles into public construction law, highlighting the legal and policy challenges for municipal projects. It will cover federal and state initiatives driving ESG principles, the role of municipal lawyers and employees in ESG compliance and integration, as well as the complexities surrounding ESG principles in procurement and contracting for public construction. Key case studies will illustrate real-world examples, and the session will provide strategies for managing legal risks and avoiding litigation related to ESG in public construction.	Jillian Jagling
10:45 AM – 11:45 AM	<b>Section 1983 Case Law Update</b>	Pierre Grosdidier

	This presentation reviews significant Fourth Amendment court decisions in 2024 that involve technology. Cases reviewed involve geofence warrants, free wireless network access, pole cameras, and DNA, among others. These cases show once again that technology use is the real frontier in Fourth Amendment law.	
11:55 AM – 12:55 AM	Seminar Session TBD	
11:55 AM – 12:55 AM	<p><b>Structured Settlement Process in Section 1983 Cases</b></p> <p>Section 1983 litigation can be expensive and lengthy. This is especially true in cases involving complex claims involving allegations of widespread and systemic civil rights violations against the municipality over a long period. However, even in a case with narrow, specific allegation of a single instance of a constitutional violation by one plaintiff against one individual defendant, courts in most jurisdictions actively encourage settlement as a means of resolving litigation. This presentation will explain the benefits and procedures for participating in a structured settlement process such as mediation or settlement conferences with a magistrate, often referred to as alternative dispute resolution (ADR) in a Section 1983 action, as well as issues specific to settling cases on behalf of a municipality, such as dealing with agency, mayoral or legislative approval and working with other non-municipal parties for settlement. Finally, we will discuss general negotiation skills and strategies.</p>	Beth Hoffman
1:30 PM – 3:00 PM	<p><b>Smithsonian Zoo Trip</b></p> <p>A trip to the Zoo (right up the street from the Omni) with fellow attendees!</p>	
1:35 PM	<p><b>Washington Nationals Game</b></p> <p>Join the IMLA block at the Nationals game versus the New York Mets. Attendees will purchase their own tickets in IMLA's ticket block. That link will be sent to attendees, please email Caroline if you need it to purchase tickets.</p>	

## Monday – April 28, 2025

Time	Session	Speaker(s)
8:00 AM – 12:00 PM	<b>IMLA Registration &amp; Exhibitors</b>	
8:10 AM – 8:35 AM	<p><b>Coffee Break / Passport Drawing</b></p> <p>Participating exhibitors will provide prizes as attendees visit all exhibitor booths to be eligible for the prize drawing.</p>	
8:35 AM – 9:35 AM	Federal Agency and Legislative Update	<p>Irma Esparza Diggs &amp; Mark Ritacco</p> <p><b>Moderator:</b> Gerry Lederer</p>
9:45 AM – 10:45 AM	<p><b>Case Law Update</b></p> <p>This is a fast-paced presentation that will provide summaries of cases touching on all aspects of local government law from all the circuits.</p>	Douglas Haney
10:45 AM – 11:00 AM	<b>Coffee Break</b> – Coffee, Tea and Lemonade available to registrants.	
11:00 AM – 12:00 PM	<p><b>Ethics of Good Governance</b></p> <p>In 2008, the Council of Europe established 12 Principles of Good Governance, which are: (1) Participation, Representation, Fair Conduct of Elections; (2) Responsiveness; (3) Efficiency and Effectiveness; (4) Openness &amp; Transparency; (5) Rule of Law; (6) Ethical Conduct; (7) Competence and Capacity; (8) Innovation and Openness to Change; (9) Sustainability and Long-Run Orientation; (10) Sound Financial Management; (11) Human Rights, Cultural Diversity and Social Cohesion; and (12) Accountability.</p>	Alan Bojorquez

	To give these principles an American legal context, the discussion will focus on: (5) Rule of Law; (6) Ethical Conduct; (7) Competence and Capacity. As local government lawyers, we will address: Rule of Law (ABA Model Rules- Preamble); Competence (ABA Model Rule 1.1); Individual Interests [Conflicts of Interest] (ABA Model Rule 1.7); and Combating Corruption (ABA Model Rules 1.2, 1.6, 1.7 and 1.13).	
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Please note the agenda is tentative and subject to change.

**Last Updated:** 02/27/25