



# IMLA 2025 Section 1983 Program

**Virtual**  
**July 24-25, 2025**

## Thursday – July 24, 2025

Time (Eastern)	Session	Speaker(s)
12:00 PM – 12:45 PM Eastern	<b>Welcome Lunch</b> Spend an hour discussing Section 1983 issues over an informal networking lunch (or breakfast) via Zoom.	
1:00 PM – 2:00 PM Eastern	<b>Section 1983 Update: What You Need to Know in 2025</b> This presentation will provide a case law update on Section 1983 cases in the last year and what to expect in 2025. The presentation will also serve as an overview of Circuit cases covering hot-button issues in today's legal landscape.	Staci Miller
2:15 PM – 3:30 PM Eastern	<b>Trial Practice Skills</b> This presentation will provide practical pointers on openings and summations for Section 1983 trials.	Patricia Miller

## Friday – July 25, 2025

Time (Eastern)	Session	Speaker(s)
12:00 PM – 1:00 PM Eastern	<b>Dispositive Motions in Use of Force Cases</b> Officers need our protection from civil rights lawsuits. Depositions and trial take them away from their jobs and require other officers to cover for them when the lawsuit makes the defendant officer unavailable. Cities are exposed to potentially unlimited damages based on claims that should never get to court. The federal rules provide us with procedural mechanisms to dispose of civil rights lawsuits at or near the front end of the case, avoiding trial and often even avoiding discovery. This presentation will cover some of the more frequently used motions for disposing of use of force claims against officers and the municipality.	Robert Higgason
1:15 PM – 2:15 PM Eastern	<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
2:30 PM – 3:45 PM Eastern	<b>Wrongful Conviction Litigation in State and Federal Courts</b> Mr. Deskovic, an exoneree turned attorney, will discuss the actual innocence and newly discovered evidence legal standards, while explaining a practical framework for assessing actual innocence claims and viability of exoneration. Attendees will gain practical knowledge to recognize red flags around flawed evidence (false confessions, misidentification, lying informants) and learn potential routes to exoneration. Some current policy initiatives aimed at reducing wrongful conviction will be discussed.  Mr. Johnson will offer an overview of municipal, police department, and individual officer liability in Sec. 1983 Reversed Conviction/Wrongful Conviction lawsuits. The presentation will highlight potential grounds for dispositive motions, common issues that arise in discovery, and practical considerations for the defense of both municipalities and individual officers.	Adam Johnson & Jeff Deskovic

Last Updated: 06/13/25. Please note the agenda is tentative and subject to change.