

CITY ATTORNEYS' ASSOCIATION CLE 2017: CASE SUBMISSION TO MLDP

- 1) The Municipal Legal Defense Program
 - a. History and Character of Program
 - b. Judicial Treatment
 - c. Agency Relationship

- 2) Receipt of the lawsuit
 - a. Service dates
 - b. Who is the City submitting for coverage; capacities
 - i. Discipline issues; basis for decision
 - c. Coverage request
 - d. **Consent to defense**

- 3) Things to look for initially
 - a. Statute of limitations: Section 1983 cases, ACRA cases, Inverse Condemnation cases, Whistleblower Cases, Title VII cases
 - b. In Section 1983 alleged police misconduct cases, status of any criminal charges against the Plaintiff?
 - c. Departments vs. Cities

- 4) Submitting the Case
 - a. jadams@arml.org and mhayes@arml.org and Fax: 501-978-6566
 - b. Cost deposit
 - c. Consent to defense forms
 - d. Personal information for each Defendant in any capacity
 - e. Timing/deadlines in state and federal court

- 5) After an attorney has been assigned and contacted the City
 - a. Collection of files/data
 - b. Types of cases: civil rights, employment, land-use
 - c. Preference for Electronic Data

- 6) Receipt of the Coverage Letter
 - a. Types of coverage by case
 - b. Reservation of rights
 - c. Appeal of coverage decision

- 7) Special Issues
 - a. Litigation hold
 - b. Electronically Stored Information

- c. Freedom of Information Act and communicating about the case
- d. Retention of data: video, audio, logs, etc . . .
- e. Redaction of documents