

CIVIL RIGHTS
LEGISLATION:
CASES AND MATERIALS

SIXTH EDITION



Theodore Eisenberg
Ann M. Eisenberg



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Civil Rights Legislation: Cases and Materials

Sixth Edition

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Cases and Materials
Sixth Edition

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Preface to the Sixth Edition

The Sixth Edition of *Civil Rights Legislation* includes the latest materials on the availability of section 1983 and *Bivens* causes of actions. *City of Rancho Palos Verdes, California v. Abrams*, 544 U.S. 113 (2005); *Minneci v. Pollard*, 132 S. Ct. 617 (2012). New cases addressing the immunities and defenses of individuals and governmental entities are: *Van de Kamp v. Goldstein*, 555 U.S. 335 (2009) (prosecutorial immunity); *Safford Unified School District #1 v. Redding*, 557 U.S. 364 (2009) (qualified immunity); and *Connick v. Thompson*, 131 S. Ct. 1350 (2011) (municipal liability). New principal cases on habeas corpus or the relation between habeas corpus and section 1983 are: *Chaidez v. United States*, 133 S. Ct. 1103 (2013) (habeas corpus); *Magwood v. Patterson*, 130 S. Ct. 2788 (2010) (habeas corpus); *Skinner v. Switzer*, 131 S. Ct. 1289 (2011) (relation between § 1983 and habeas corpus). *Sprint Communications, Inc. v. Jacobs*, 134 S. Ct. 584 (2013) provides the most recent major decision relating to the doctrine of *Young v. Harris*.

Important new decisions relating to remedies are *Perdue v. Kenny A.*, 130 S. Ct. 1662 (2010) (attorney fees) and *Brown v. Plata*, 131 S. Ct. 1910 (2011) (institutional litigation).

Decisions addressing liability under section 1981 and Title VII are *CBOCS West, Inc. v. Humphries*, 553 U.S. 442 (2008) (§ 1981), and *Vance v. Ball State University*, 133 S. Ct. 2434 (2013) (supervisor liability under Title VII). Procedural matters under Title VII are covered in *Wal-Mart Stores, Inc. v. Dukes*, 131 S. Ct. 2541 (2011) (class actions) and in lower court cases addressing arbitration issues. The 2008 amendments to the Americans with Disabilities Act are covered via new cases exploring the ADA after Congress overruled the Supreme Court's restrictive interpretations of that Act.

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PART ONE

CIVIL RIGHTS LEGISLATION TO PROTECT
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