

Legal Defense Information & Strategies

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Agenda

- CIS overview
 - Public safety/risk management programLegal defense counsel
- Legal defense process
- Helpful tips
- Retain your own legal counsel?
- Questions



CIS

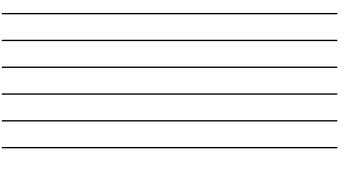


CIS Overview

- History of CIS
- CIS lines of coverage
- CIS members
- Office locations







Public Safety/Risk Management Program

- Overview:
- -Best practice and risk management plans
- -Claim reviews
- -Grant management
- -Critical incident management



Legal Defense Counsel



- Steve Kraemer and Leslie EdenhoferAssist in litigation process
- Provide training and legal updates
- CIS Annual Conference presenters





The Civil Defense Process - State

State of Oregon

- -Plaintiff has 180 days to file tort notice
- -Tort cap limits in Oregon
- -Types of lawsuits (claims) that will be heard in state court
- -Pros and cons for having a case filed in state court



The Civil Defense Process – Federal

- Federal Court
- –Plaintiff has two-years to file complaint–No tort cap limits
- -Types of claims heard in federal court
- □ 42 U.S.C. § 1983 (civil rights)
- Plaintiff entitled to attorney fees if prevail
- –Pros and cons for having a case heard in Federal Court



Civil Defense Process - Event To Trial

- Event
- Notice of tort claim
- Pleading by plaintiff (complaint)
- Response to complaint
 Answer
- -Motion to Dismiss



Civil Defense Process – Event To Trial, Cont.

- Discovery
- -Interrogatories, Requests for Production
- Depositions
- Motion hearings
- Pre-trial conference
- Trial
- Possible appeal



mmunities

- Absolute Immunity
- Qualified Immunity





Helpful Tips

- What does this all mean?
- Litigation hold (emails, texts, social media, etc.)
- Communications (privileged vs. non-privileged)
- Identify issues early on
- ANY questions call assigned attorneys



Hiring your own legal counsel in OIS?

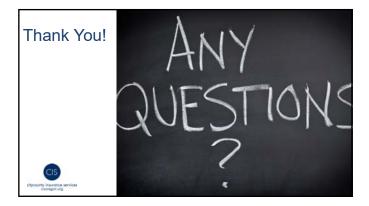


Hiring Your Own Legal Counsel In OIS?

Do you need to hire an attorney when involved in an Officer Involved Shooting (OIS)? Most often the answer is NO.

- Criminal charges
- Working outside the course and scope
- You choose to hire your own legal counsel
- Any questions on this issue, call CIS' property/liability claims manager Jim McWilliams at 503-763-3886





Contact Information

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