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United States

第一手資料

- Legislation including:
 - United States Code (both annotated and un-annotated)
 - Code of Federal Regulations
 - Federal Register
 - All State Statutes
- Cases: All Federal and All States, fully cross-referenced from 1658

第二手資料

- Commentary including:
 - American Law Reports
 - American Jurisprudence
 - Corpus Juris Secundum
- Journals including:
 - Harvard Law Review
 - Chicago Journal of International Law
 - Yale Journal of International Law
 - Cornell Law Review
- US Uniform Laws Annotated

United Kingdom

- Statutes from 1267 (fully consolidated)
- Cases from 1865, including:
 - The Law Reports
 - Common Market Law Reports
 - Fleet Street Reports
 - Weekly Law Reports
- Journals including:
 - Criminal Law Review
 - International Arbitration Law Review
 - Civil Justice Quarterly
 - Intellectual Property Quarterly

Australia

- Cases from 1903, including:
 - Commonwealth Law Reports
 - Federal Law Reports
 - Federal Court Reports

見下頁繼續...

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- Comprehensive European Union Legislation
- Cases from 1954, including:
 - European Commercial Cases
 - European Patent Office Reports
 - European Human Rights Reports
- Journals including:
 - European Intellectual Property Review
 - European Human Rights Review
 - EU Focus

Hong Kong

- Cases from 1905, including:
 - Hong Kong Law Reports
 - Hong Kong Criminal Law Reports
- Journals:
 - Hong Kong Law Journal
 - Chinese Journal of International Law

Miscellaneous

- Black's Law Dictionary
- WTO & GATT Panel Decisions

Canada

- Canadian Statutes
(Federal, Provincial and Territorial Statutes)
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- Carswell Law Reports
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 - Financial News
 - New York Times - The Times (London)
 - Financial Times - The Economist
 - Forbes - Time
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 - Reuters News

CITATIONS介紹

Citation是指引文標注方式，**Citation Format**系統編號。

•範例：

•**386 US 487**

•**35 USCA 282**

•**109 HARV L REV 125**

•**US PAT 7255627**

CITATIONS介紹

386



第386卷

US



美國最高法院判決書

487



第487頁

CITATIONS介紹

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TITLE 35

USCA



美國法典

§ 282



第282條

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第109卷

HARV L REV



哈佛Law Review期刊

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第125頁

CITATIONS介紹

US



美國

PAT



專利法

7255627



檔案編號

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KeyCite 的意思:

- ▶ 紅旗 (red flag) : 表示本案之法律見解，已被推翻，**不具法律效力**。在法令條文中出現紅旗，表示該條法令曾在**近期立法中被修正或廢止**。
- ▶ 黃旗 (yellow flag) : 代表本案曾出現負面的「**被**」引用歷史，該判解仍未被駁回或廢止。法令條文方面，則表示已提案修法，但尚未通過
- H 藍H (blue H) : 代表本案件有直接相關的前後案，但沒有負面歷史
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Q ▾ Enter search terms, citations, databases, anything ...

8th Circuit ▾

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Pending & Proposed Regulations

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ACM-001 (8)

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Norton Bankruptcy Law & Practice

Tax

USCA Index

United States Code Annotated (USCA)

Frequently Used Items

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148 EMINENT DOMAIN

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Admiralty & Maritime

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The screenshot shows the WestlawNext search interface. At the top, there's a search bar with the placeholder text "Q- Enter search terms, citation". To the right of the search bar are buttons for "ARCH" and "advanced". Below the search bar, there's a "Browse" section with a list of categories: "All Content", "Cases", "Statutes & Court Rules", "Regulations", "Administrative Decisions & Guidance", "Trial Court Orders", and "Secondary Sources". A green callout box is overlaid on the right side of the interface, containing a list of accepted search commands. The background of the interface is blue and white.

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Regulations

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Minnesota State & Federal Cases

你可以輸入的指令如下：

- 整段句子，疑問句
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Q- can a municipality be held liable for civil rights violations by its employees 8th Circuit **SEARCH** advanced

例子：can a municipality be held liable for civil rights violations by its employees

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Administrative Decisions & Guidance	Jury Verdicts & Settlements	Patents	United States Code Annotated (USCA)
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查詢輸入的句子：can a municipality be held liable for civil rights violations by its employees

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Q can a municipality be held liable for civil rights violations by its employees 8th Circuit **SEARCH** advanced

Browse

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Trial Court Orders	Pending & Proposed Legislation	Public Records
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Jurisdiction (Select up to 3)

☒ **All States**

<input type="checkbox"/> Alabama	<input type="checkbox"/> Illinois	<input type="checkbox"/> Montana	<input type="checkbox"/> Rhode Island
<input type="checkbox"/> Alaska	<input type="checkbox"/> Indiana	<input type="checkbox"/> Nebraska	<input type="checkbox"/> South Carolina
<input type="checkbox"/> Arizona	<input type="checkbox"/> Iowa	<input type="checkbox"/> Nevada	<input type="checkbox"/> South Dakota
<input type="checkbox"/> Arkansas	<input type="checkbox"/> Kansas	<input type="checkbox"/> New Hampshire	<input type="checkbox"/> Tennessee
<input type="checkbox"/> California	<input type="checkbox"/> Kentucky	<input type="checkbox"/> New Jersey	<input type="checkbox"/> Texas
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<input type="checkbox"/> Connecticut	<input type="checkbox"/> Maine	<input type="checkbox"/> New York	<input type="checkbox"/> Vermont
<input type="checkbox"/> Delaware	<input type="checkbox"/> Maryland	<input type="checkbox"/> North Carolina	<input type="checkbox"/> Virginia
<input type="checkbox"/> D.C.	<input type="checkbox"/> Massachusetts	<input type="checkbox"/> North Dakota	<input type="checkbox"/> Washington
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<input type="checkbox"/> Georgia	<input type="checkbox"/> Minnesota	<input type="checkbox"/> Oklahoma	<input type="checkbox"/> Wisconsin
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<input type="checkbox"/> Idaho	<input type="checkbox"/> Missouri	<input type="checkbox"/> Pennsylvania	

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51州區域

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進入查詢結果的畫面：

查詢輸入的句子：can a municipality be held liable for civil rights violations by its employees

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Q Can a municipality be held liable

VIEW:

Overview	13
Cases	89
Statutes	40
Regulations	4,285
Administrative Decisions & Guidance	6,009
Trial Court Orders	18
Secondary Sources	221
Briefs	106
Pleadings, Motions & Memoranda	86
Expert Testimony	3,281
Jury Verdicts & Settlements	1,786
Pending & Proposed Legislation	873
Pending & Proposed Regulations	5,152
All Results	21,946

Overview (13)

☐ Select all items No items selected

Cases [View all 89](#)

☐ **Monell v. Department of Social Services of City of New York**
Supreme Court of the United States | June 06, 1978 | 436 U.S. 658

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in...

...A **municipality** cannot be **held liable** for **violation** of **civil rights** solely because **employee** is a tort-feasor; a **municipality** cannot be **held liable** under the **Civil Rights** Act of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

... In particular, we conclude that a **municipality** cannot be **held liable** solely because it employs a tortfeasor-or, in other words, a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory....

☐ **Board of County Com'rs of Bryan County, Okl. v. Brown**
Supreme Court of the United States | April 28, 1997 | 520 U.S. 397

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

... Claims such as the present, which do not involve an allegation that the **municipal** action itself **violated** federal law or directed or authorized the deprivation of federal **rights**, require application of rigorous culpability and causation standards in order to ensure that the **municipality** is not **held liable** solely for its **employees'** actions....

Where a claim of **municipal** liability rests on a single decision not itself representing a **violation** of federal law and not

各類別13筆資料列表(判決、法律、法規、行政命令、期刊、合約表格、法庭文件、訴訟要點、法庭審判命令KeyNumber)。

欄位呈現各類別的資料結果，查詢結果總筆數有21,946。



左邊列表選擇欲瀏覽的類別資料：

查詢輸入的句子：can a municipality be held liable for civil rights violations by its employees

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Can a municipality be held liable 8th Circuit SEARCH advanced ACM-001 (7)

VIEW: <<

Overview	13
Cases	89
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Secondary Sources	221
Briefs	106
Pleadings, Motions & Memoranda	86
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Pending & Proposed Legislation	873
Pending & Proposed Regulations	5,152
All Results	21,946

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Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in...

...A **municipality** cannot be **held liable** for **violation** of **civil rights** solely because **employee** is a tort-feasor; a **municipality** cannot be **held liable** under the **Civil Rights** Act of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

... In particular, we conclude that a **municipality** cannot be **held liable** solely because it employs a tortfeasor-or, in other words, a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory....

☐ **Board of County Com'rs of Bryan County, Okl. v. Brown**
Supreme Court of the United States | April 28, 1997 | 520 U.S. 397

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

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Where a claim of **municipal** liability rests on a single decision not itself representing a **violation** of federal law and not



資料結果重新排序：

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Q Can a municipality be held liable 8th Circuit SEARCH advanced ACM-001 (4)

VIEW: Overview 13 Cases 89 Statutes 40 Regulations 1,307 Administrative Decisions & Guidance 1,373 Trial Court Orders 18 Secondary Sources 224 Briefs 106 Pleadings, Motions & Memoranda 86 Expert Testimony 3,278 Jury Verdicts & Settlements 1,786 Pending & Proposed Legislation 876 Pending & Proposed Regulations 5,150 All Results 14,333

NARROW: Search within results

Jurisdiction Federal 89

Cases (89)

1-89

Sort by: Relevance Date Most Cited Most Used

☐ Select all items No items selected

☐ 1. **Monell v. Depa** Supreme Court of the U

Female **employees** of the Department of Social Services and the City of New York brought an action challenging the policy...

...A **municipality** cannot be **held liable** for **violation** of **civil** **employee** is a tort-feasor; a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory. 42 U.S.C.A. § 1983

... In particular, we conclude that a **municipality** cannot be **held liable** solely because it employs a tortfeasor-or, in other words, a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory....

☐ 2. **Board of County Com'rs of Bryan County, Okl. v. Brown** Supreme Court of the United States | April 28, 1997 | 520 U.S. 397

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

... Claims such as the present, which do not involve an allegation that the **municipal** action itself **violated** federal law or directed or authorized the deprivation of federal **rights**, require application of rigorous culpability and causation standards in order to ensure that the **municipality** is not **held liable** solely for its **employees'** actions....

... Where a claim of **municipal** liability rests on a single decision, not itself representing a **violation** of federal law and not directing such a **violation**, the danger that a **municipality**

...In order to **hold a municipality** **liable** for **civil rights violations** of its **employees** under § 1983, the **municipality** must have acted in accordance with a government policy or custom, whether made by its lawmakers or those whose edicts or acts may fairly be said to represent official policy....

Liability of supervisory officials and governmental entities for having failed to adequately train, supervise, or control individual peace officers who violate plaintiff's civil rights under 42 U.S.C.A. § 1983
70 A.L.R. Fed. 17 (Originally published in 1984)

可以針對“日期”、“最多被引用”、“最多被使用”的選項，將89筆資料重新排序。



系統預設“1~20”資料呈現

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Q- Can a municipality be held liable for violation of civil rights solely because it employs a tortfeasor-or, in other words, a municipality cannot be held liable under the Civil Rights Act of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

ACM-001 (7)

VIEW: Overview 13 Cases 89 Statutes 40 Regulations 4,285 Administrative Decisions & Guidance 6,009 Trial Court Orders 18 Secondary Sources 221 Briefs 106 Pleadings, Motions & Memoranda 86 Expert Testimony 3,281 Jury Verdicts & Settlements 1,786 Pending & Proposed Legislation 873 Pending & Proposed Regulations 5,152 All Results 21,946

Case

1-20 Sort by: Relevance

Select all items No items selected

1. Monell v. Department of Social Services of City of New York Supreme Court of the United States June 06, 1978 436 U.S. 658

Female employees of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in...

...A municipality cannot be held liable for violation of civil rights solely because employee is a tort-feasor; a municipality cannot be held liable under the Civil Rights Act of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

... In particular, we conclude that a municipality cannot be held liable solely because it employs a tortfeasor-or, in other words, a municipality cannot be held liable under § 1983 on a respondeat superior theory....

complaints City police officers....

20 per page

RELATED DOCUMENTS

Secondary Sources

What constitutes policy or custom for purposes of determining liability of local government unit under 42 U.S.C.A. § 1983—modern cases

81 A.L.R. Fed. 549 (Originally published in 1987)

The ALR databases are made current by the weekly addition of relevant new cases.

American Law Reports ALR Federal

...In order to hold a municipality liable for civil rights violations of its employees under § 1983, the municipality must have acted in accordance with a government policy or custom, whether made by its

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can a municipality be held liable 8th Circuit SEARCH advanced ACM-001 (7)

VIEW: Overview 13 Cases 89 Statutes 40 Regulations 3,884 Administrative Decisions & Guidance 6,057 Trial Court Orders 18 Secondary Sources 221 Briefs 106 Pleadings, Motions & Memoranda 86 Expert Testimony 3,281 Jury Verdicts & Settlements 1,795 Pending & Proposed Legislation 892 Pending & Proposed Regulations 5,243 All Results 21,712

Overview (13)

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Cases View all 89

Less Detail More Detail Most Detail

Monell v. Department of Social Services of City of New York
Supreme Court of the United States | June 06, 1978 | 436 U.S. 658

Female **employees** of the Department of Social Services and the City of New York brought an action challenging the policies of those bodies in...

...A **municipality** cannot be **held liable** for **violation** of federal **rights** if the municipality cannot be **held liable** under the **Civil Rights** Act of 1964.

... In particular, we conclude that a **municipality** cannot be **held liable** under the **Civil Rights** Act of 1964. In words, a **municipality** cannot be **held liable** under § 1983.

Board of County Com'rs of Bryan County v. Brown
Supreme Court of the United States | April 28, 1997

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to protect **rights** of arrestee on whom deputy used excessive force.

... Claims such as the present, which do not involve a claim that the municipality directed or authorized the deprivation of federal **rights**, require application of rigorous culpability and causation standards in order to ensure that the **municipality** is not **held liable** solely for its **employees'** actions....

... Where a claim of **municipal** liability rests on a single decision, not itself representing a **violation** of federal law and not directing such a **violation**, the danger that a **municipality** will be **held liable** without fault is high....

Statutes View all 40

Set Default

案件總結：可以很快掌握案件內容。

可以設定顯示內容細節，

1. 顯示案件名稱
2. 顯示案件名稱、總結以及關鍵字
3. 顯示案件名稱、總結以及關鍵字段落



篩選與限縮目前查詢的資料：

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Q- Can a municipality be held liable 8th Circuit SEARCH advanced ACM-001 (7)

NARROW:

Undo Filters

Search within results

Jurisdiction

☒ Federal 81

Date

All

Reported Status

☒ Reported 81

☐ Unreported 8

Topic

☐ Criminal 54

☒ Civil 80

Judge Select

Attorney Select

Law Firm Select

Key Number Select

Party Select

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

Liability of supervisory officials and governmental

Detainee brought civil rights action against city, alleging violation of her right to receive necessary medical attention while in police custody. The United States District Court for the...

...Under certain circumstances, **municipality** can be **held liable** in **civil rights** action under § 1983 for constitutional **violations** resulting from its failure to train **municipal employees**. 42 U.S.C.A. § 1983....

...2. A **municipality** may, in certain circumstances, be **held liable** under § 1983 for constitutional **violations** resulting from its failure to train its **employees**....

☐ **4. Mettler v. Whitledge**

United States Court of Appeals, Eighth Circuit. January 25, 1999 165 F.3d 1197

Mother brought **civil rights** action against county, sheriff, and two sheriff's deputies, after her son was shot and killed during confrontation with deputies. The United States District...

... However, a **municipality** may be **held liable** for the unconstitutional acts of its officials

municipality can be **held liable** under § 1983 if it had a policy or custom of failing to train its **employees** and that failure to train caused the constitutional **violation**, providing the failure to train amounts to deliberate indifference....

Vicarious liability of superior under 42 U.S.C.A. § 1983 for subordinate's acts in deprivation of civil rights

51 A.L.R. Fed. 285 (Originally published in 1981)

The ALR databases are made current by the weekly addition of relevant new cases.

American Law Reports ALR Federal

...Public **employee** cannot be **held liable** for the **civil rights violations** of those he supervises merely because



資料結果二次查詢：

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Q can a municipality be held liable 8th Circuit SEARCH advanced ACM-001 (7)

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Cases (89)

1-20 Sort by: Relevance

Select all items No items selected

1. **Monell v. Department of Social Services of City of New York**
Supreme Court of the United States | June 06, 1978 | 436 U.S. 658

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Where a claim of **municipal** liability rests on a single decision, not itself representing a

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81 A.L.R. Fed. 549 (Originally published in 1987)
The ALR databases are made current by the weekly addition of relevant new cases.
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...In order to **hold a municipality liable for civil rights violations** of its **employees** under § 1983, the **municipality** must have acted in accordance with a government policy or custom, whether made by its lawmakers or those whose edicts or acts may fairly be said to represent official policy....

Liability of supervisory officials and governmental entities for having failed to adequately train, supervise, or control individual peace officers who violate plaintiff's civil rights under 42 U.S.C.A. § 1983
70 A.L.R. Fed. 17 (Originally published in 1984)

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輸入“關鍵字”

NARROW

Search within results

Jurisdiction
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1. Board of County Com'rs of Bryan County, Okl. v. Brown
Supreme Court of the United States | April 28, 1997 | 520 U.S. 397

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

... Contrary to respondent's contention, a "policy" giving rise to liability cannot be established merely by identifying a **polycymaker's conduct** that is promulgated by the **municipality**....

... It will be difficult for them to apply today's elaboration of Canton-excessive force in the limited context of police force hiring decisions that are followed by a record of unconstitutional conduct....

20 per page

custom for purposes of determining liability of local government unit under 42 U.S.C.A. § 1983—modern cases
81 A.L.R. Fed. 549 (Originally published in 1987)
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or custom, whether made by its lawmakers or those whose edicts or acts may fairly be said to represent official policy....

Liability of supervisory officials and governmental entities for having failed to adequately train, supervise, or control individual peace officers who violate plaintiff's civil rights under 42 U.S.C.A. § 1983
70 A.L.R. Fed. 17 (Originally published in 1984)
The ALR databases are made current by the weekly addition of relevant new cases.
American Law Reports ALR Federal
...If a **municipal employee violates** another's constitutional **rights**, the **municipality** can be **held liable** under § 1983 if it had a policy...

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☐ 1. **Monell v. Department of Social Services of City of New York**

Supreme Court of the United States | June 06, 1978 | 436 U.S. 658

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in...

...A **municipality** cannot be **held liable** for **violation** of **civil rights** solely because **employee** is a tort-feasor; a **municipality** cannot be **held liable** under the **Civil Rights Act** of 1871 on a respondeat superior theory. 42 U.S.C.A. § 1983....

... In particular, we conclude that a **municipality** cannot be **held liable** solely because it employs a tortfeasor-or, in other words, a **municipality** cannot be **held liable** under § 1983 on a respondeat superior theory....

☐ 2. **Board of County Com'rs of Bryan County, Okl. v. Brown**

Supreme Court of the United States | April 28, 1997 | 520 U.S. 397

CIVIL RIGHTS - Municipalities. Isolated failure of sheriff to adequately screen deputy did not show deliberate indifference to **rights** of arrestee on whom deputy used excessive force.

... Claims such as the present, which do not involve an allegation that the **municipal** action itself **violated** federal law or directed or authorized the deprivation of federal **rights**, require application of rigorous culpability and causation standards in order to ensure that the **municipality** is not **held liable** solely for its **employees'** actions....

Where a claim of **municipal** liability rests on a single decision, not itself representing a

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...In order to **hold a municipality liable for civil rights violations** of its **employees** under § 1983, the **municipality** must have acted in accordance with a government policy or custom, whether made by its lawmakers or those whose edicts or acts may fairly be said to represent official policy....

Liability of supervisory officials and governmental entities for having failed to adequately train, supervise, or control individual peace officers who violate plaintiff's civil rights under 42 U.S.C.A. § 1983

70 A.L.R. Fed. 17 (Originally published in 1984)



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Kazmaier v. C.I.A.
United States District Court, E.D. Wisconsin. April 11, 1983 562 F.Supp. 263 (Approx. 2 pages)

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Original Image of 562 F.Supp. 263 (PDF)

562 F.Supp. 263
United States District Court,
E.D. Wisconsin.

John Wesley KAZMAIER, Plaintiff,
v.
CENTRAL INTELLIGENCE AGENCY and the United States Justice Dept. and
the Federal Bureau of Investigation and the United States Government,
Defendants.

No. 2-C-1342. April 11, 1983.

Civil rights action was brought based on allegations that plaintiff had been subjected by the CIA to brainwashing and torture through the use of satellite beams, portable dental laser equipment, and other means. The District Court, Myron L. Gordon, Senior District Judge, held that complaint was frivolous.

Dismissed.

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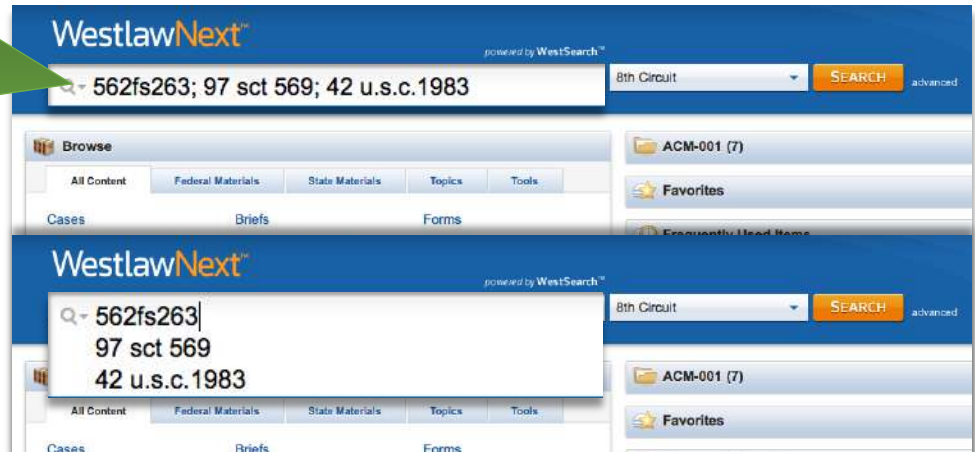
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United States District Court, E.D. Wisconsin. April 11, 1983. 562 F.Supp. 263

Civil rights action was brought based on allegations that plaintiff had been subjected by the CIA to brainwashing and torture through the use of satellite beams, portable dental laser equipment, and other means. The District Court, Myron L. Gordon, Senior District Judge, held that complaint was frivolous. Dismissed.



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☐ **Kazmaier v. C.I.A.**
United States District Court, E.D. Wisconsin. | April 11, 1983 | 562 F.Supp. 2

Civil rights action was brought based on allegations that plaintiff had been s through the use of satellite beams, portable dental laser equipment, and oth Senior District Judge, held that complaint was frivolous. Dismissed.

97 sct 569

☐ **Mt. Healthy City School Dist. Bd. of Educ. v. Doyle**
Supreme Court of the United States | January 11, 1977 | 429 U.S. 274

An untenured teacher, having been discharged from his employment, brought an action against his former employer for reinstatement and damages, claiming that the school district's refusal to rehire him violated his rights under the First and Fourteenth Amendments. The District Court found that the teacher's exercise of his right of free speech had played a substantial part in the board of education's decision not to rehire the teacher, and that he was entitled to reinstatement with back pay, and the Court of Appeals, 529 F.2d 524, affirmed. The Supreme Court, Mr. Justice Rehnquist, held, inter alia, that the fact that constitutionally protected conduct played a substantial part in the decision not to rehire the teacher did not necessarily amount to a constitutional violation justifying remedial action, and that the district court should have gone on to determine whether the board of education had shown by a preponderance of the evidence that it would have reached the...

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Supreme Court of the United States May 17, 1954 347 U.S. 483

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Supreme Court of the United States May 31, 1954 347 U.S. 483

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...Oliver **BROWN**, et al., Appellants,...

...**BOARD** OF EDUCATION OF TOPEKA, Shawnee County, KANSAS, et al....

...COUNTY SCHOOL **BOARD** OF PRINCE EDWARD COUNTY, VIRGINIA, et al....

☐ **Brown v. Board of Ed. of Topeka, Shawnee County, Kan.**
Supreme Court of the United States May 17, 1954 347 U.S. 483 74 S.Ct. 686 1, 2, 4, 10

Class actions originating in the four states of Kansas, South Carolina, Virginia, and Delaware, by which minor Negro plaintiffs sought to obtain admission to public schools on a...

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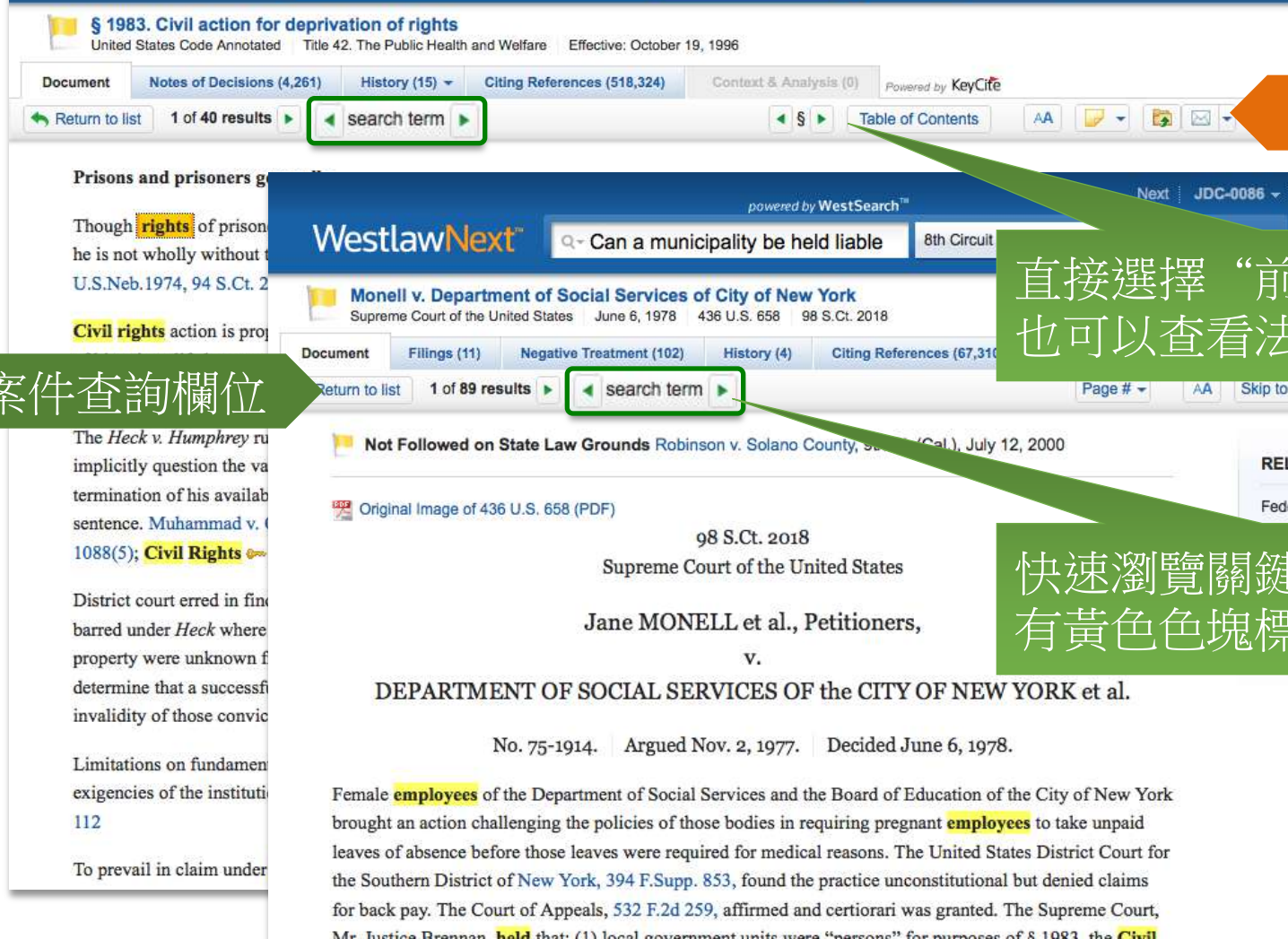


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98 S.Ct. 2018
Supreme Court of the United States

Jane MONELL et al., Petitioners,
v.
DEPARTMENT OF SOCIAL SERVICES OF the CITY OF NEW YORK

No. 75-1914. Argued Nov. 2, 1977. Decided June 6, 1978.

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in requiring pregnant **employees** to take unpaid leaves of absence before those leaves were required for medical reasons. The United States District Court for the Southern District of New York, 394 F.Supp. 853, found the practice unconstitutional but denied claims for back pay. The Court of Appeals, 532 F.2d 259, affirmed and certiorari was granted. The Supreme Court, Mr. Justice Brennan, **held** that: (1) local government units were "persons" for purposes of § 1983, the **Civil Rights** Act of 1871; (2) local governments could not be **held liable** under a theory of respondeat superior but rather could be **held liable** only when the constitutional deprivation arises from a governmental custom; (3) the Tenth Amendment did not impose any impediment to liability; (4) the Eleventh Amendment did not

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Mr. Justice Rehnquist filed a dissenting opinion in which Mr. Chief Justice Burger concurred.

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Municipalities and other local government units are included among those "persons" to whom the Civil Rights Act of 1871 applies; overruling *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492. 42 U.S.C.A. § 1983.

528 Cases that cite this headnote

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The Tenth Amendment does not impose any constitutional impediment to municipal liability for violation of a person's civil rights and the Eleventh Amendment is no bar to liability except for those local government units which are considered part of the state for the purposes of that Amendment. 42 U.S.C.A. § 1983; U.S.C.A.Const. Amends. 10, 11.

740 Cases that cite this headnote

3 **Civil Rights** **Liability of Public Officials**
Local government officials sued in their official capacities are "persons" for purposes of the Civil Rights Act of 1871 in those cases in which a local government would be suable in its own name. 42 U.S.C.A. § 1983.

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2 **Civil Rights** **Federal Courts**
The Tenth Amendment does not impose any constitutional impediment to municipal liability for violation of a person's civil rights and the Eleventh Amendment is no bar to liability except for those local government units which are considered part of the state for the purposes of that Amendment. 42 U.S.C.A. § 1983; U.S.C.A.Const. Amends. 10, 11.

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§ 1983. Civil action for deprivation of rights
United States Code Annotated | Title 42. The Public Health and Welfare | Effective: October 19, 1996

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Unconstitutional or Preempted | Limited on Preemption Grounds by [Molinelli-Freytes v. University of Puerto Rico](#) | D.Puerto Rico | Jul 27, 2010

Proposed Legislation

42 U.S.C.A. § 1983

§ 1983. Civil action for deprivation of rights

Currentness

Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other

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Monell v. Department of Social Services, 436 U.S. 658 (1978)

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Decided June 6, 1978.

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in requiring pregnant **employees** to take unpaid leaves of absence before those leaves were required for medical reasons. The United States District Court for the Southern District of New York, 394 F.Supp. 853, found the practice unconstitutional but denied claims for back pay. The Court of Appeals, 532 F.2d 259, affirmed and certiorari was granted. The Supreme Court, Mr. Justice Brennan, held that: (1) local government units were “persons” for purposes of § 1983, the **Civil Rights** Act of 1871; (2) local governments could not be **held liable** under a theory of respondeat superior but rather could be **held liable** only when the constitutional deprivation arises from a governmental custom; (3) the Tenth Amendment did not impose any impediment to liability; (4) the Eleventh Amendment did not

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Supreme Court of the United States June 6, 1978 436 U.S. 658 98 S.Ct. 2018

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394 F.Supp. 853, 10 Fair Empl.Prac.Cas. (BNA) 769, 9 Empl. Prac. Dec. P 10,129, S.
De

☒ B 2. **Monell v. Department of Social Services of City of New York**
532 F.2d 259, 11 Empl. Prac. Dec. P 10,755, 2nd Cir.(N.Y.), Mar. 08, 1976, (NO. 407, 75-7333)
Certiorari Granted by

☐ 3. **Monell v. Department of Social Services of City of New York**
429 U.S. 1071, 97 S.Ct. 807, 50 L.Ed.2d 789, 14 Fair Empl.Prac.Cas. (BNA) 417, U.S.N.Y., Jan. 25, 1977, (NO. 75 1914)
AND Judgment Reversed by

☐ 4. **Monell v. Department of Social Services of City of New York**

U.S. Supreme Court

Granting Certiorari

Reversing Judgment B

Monell v. Department of Social Services of City of New ...
98 S.Ct. 2018 | Jun 06, 1978
U.S.N.Y.

Monell v. Department of Social Services of City of New ...
532 F.2d 259 | Mar 08, 1976
2nd Cir.(N.Y.)
Affirming Decision A

Monell v. Department of Social Services of City of New ...
394 F.Supp. 853 | Apr 30, 1975
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<input type="checkbox"/> Examined by	2. Watson v. Methacton Sch 513 F.Supp.2d 360, 379+, E.D.				1 6 S.Ct.
	2010 WL 1286416, *6+, E.D.Mich. Before the court are three motions for summary judgment: 1) Defendant Dr. McCarthy's Motion for Summary Judgment Based on Governmental Immunity (Doc. No. 102); 2) Defendants' Cross-				3 4 6 S.Ct.

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Not Followed on State Law Grounds Robinson v. Solano County, 9th Cir.(Cal.), July 12, 2000

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98 S.Ct. 2018
Supreme Court of the United States

Jane MONELL et al., Petitioners,
v.
DEPARTMENT OF SOCIAL SERVICES OF the CITY OF NEW YORK et al.

No. 75-1914. Argued Nov. 2, 1977. Decided June 6, 1978.

Female **employees** of the Department of Social Services and the Board of Education of the City of New York brought an action challenging the policies of those bodies in requiring pregnant **employees** to take unpaid leaves of absence before those leaves were required for medical reasons. The United States District Court for the Southern District of New York, 394 F.Supp. 853, found the practice unconstitutional but denied claims for back pay. The Court of Appeals, 532 F.2d 259, affirmed and certiorari was granted. The Supreme Court, Mr. Justice Brennan, **held** that: (1) local government units were “persons” for purposes of § 1983, the **Civil Rights Act** of 1871; (2) local governments could not be **held liable** under a theory of respondeat superior but rather could be **held liable** only when the constitutional deprivation arises from a governmental custom; (3) the Tenth Amendment did not impose any impediment to liability; (4) the Eleventh Amendment did not

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leaves of absence before those leaves were required by the Southern District of New York, 394 F.Supp. 100, 101 (S.D.N.Y. 1975), aff'd, 532 F.2d 25, 26 (2d Cir. 1975). Mr. Justice Brennan, held that: (1) local governments could not be held liable under the Civil Rights Act of 1871; (2) local governments could not be held liable only when the constitutionality of the Tenth Amendment did not impose any impediment.

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