



Quick Resource Guides: Civil Rights / Discrimination Litigation

What is it?

Civil rights litigation is the legal process of protecting and enforcing the rights of individuals who have experienced discrimination or unequal treatment under the law. Civil rights cases involve important legal rights contained in the United States Constitution, the California Constitution, state and federal statutes, and case law.

Litigation under 42 U.S.C. § 1983, sometimes referred to as Section 1983 litigation, is a type of lawsuit that lets people go to court if a state or local government official (or someone acting like one) violates their federal constitutional or legal rights.

- **Federal Justice Center Section 1983 Litigation, Third Edition (2014)**, this resource from the Federal Justice Center covers various actions and issues that may be brought under Section 1983 Litigation. <https://www.fjc.gov/content/section-1983-litigation-third-edition>
- **California Civil Rights Department (CRD) Complaint Process**, the CRD may be able to investigate and help you resolve your complaint. <https://civildrights.ca.gov/complaintprocess/#fileComplaintBody>

Videos

LA Law Library

Civil Rights | Series of on demand videos to learn about your right to be free from discrimination in employment, housing, public accommodations and education, plus other civil rights under state and federal law.

<https://www.lalawlibrary.org/onlineclasses/civil-rights>

Books

Civil Rights and Civil Liberties Litigation: The Law of Section 1983 - KF1325.C58, Federal Practice Active Titles, Stack 107, also available online via Westlaw.

California Civil Practice: Civil Rights Litigation - KFC695.L56, CA Collection 1st Floor, also available online via Westlaw.

California Forms of Pleading and Practice - KFC1010.A65 C3, CA Collection 1st Floor, Volume 11 Chapters 112-117A, also available online via Lexis and the LexisNexis Digital Library.

Free Legal Help

Community Legal Assistance Saturday Program (CLASP)

<https://lawlibrary.acgov.org/wp-content/uploads/2020/08/Virtual-CLASP-Flyer.pdf>

Free monthly legal clinic: Speak with a volunteer attorney for 15–20 minutes. Call (510) 485-9933 between 10 am–12 pm on the first Saturday of the month to schedule a same-day call-back.

American Civil Liberties Union (ACLU)

39 Drumm St. San Francisco | 415-621-2493 | www.aclunc.org

Provides resources on your rights and pursues high-impact cases to defend civil rights and individual liberties under federal and state law.

Hire an Attorney

BALI - Bay Area Legal Incubator

125 12th St. Oakland, CA Mezzanine Level

Affordable legal services. Some attorneys offer sliding scale fees. <https://www.bayarealegalincubator.org/>

ACBA Lawyer Referral Service - (510) 302-2222 x4

\$40.00 for attorney referral and 30-minute consultation. Attorneys charge \$200 – 400/hour for services. Can also self-book consultations online: <https://www.acbanet.org/need-a-lawyer/>

California State Bar Attorney Referrals

<https://tinyurl.com/4rhdwyfb>

The State Bar of California offers a search page for certified lawyer referral services. Use the link to find certified services in your county.

Employment Law

Guides

US Equal Employment Opportunity Commission (EEOC)

- How to File a Charge of Employment Discrimination. <https://www.eeoc.gov/how-file-charge-employment-discrimination>
- Federal employees: <https://www.eeoc.gov/federal-sector/overview-federal-sector-eeo-complaint-process>

United States District Court Northern District of California (CAND)

- How to File an Employment Discrimination Complaint: Instructions for Persons Without an Attorney. https://cand.uscourts.gov/wp-content/uploads/forms/civil-forms/CAND_Employment_Discrim_Complaint_5-2021_PDF.pdf

Books

California Forms of Pleading and Practice - KFC1010.A65 C3, CA Collection 1st Floor, Volume 11 Chapter 115 Civil Rights: Employment Discrimination, also available online via Lexis and the LexisNexis Digital Library.

The essential guide to federal employment laws - KF3455 .C54, Self Help, Stack 108B, also available online via Nolo EBSCO.

California practice guide: employment litigation - KFC571 .E4, CA Collection 1st Floor, Chapters 7-10, also available online via Westlaw.

Wrongful employment termination practice: discrimination, harassment and retaliation - KFC571 .W76, CA Collection 1st Floor, also available online via OnLAW.

Legal Help

Legal Aid at Work

info@legalaidatwork.org | 415-404-9093 (Berkeley and Oakland office) | <https://legalaidatwork.org/>

Legal Aid at Work's Workers' Rights Clinic provides low-income and unemployed people with free, confidential information about their legal rights related to work in California.

Housing

Guides

State of California Civil Rights Department (CRD) – Housing Discrimination: <https://civildiscrimination.ca.gov/housing/>

This page provides information on what housing discrimination looks like, available remedies, and the complaint process with CRD.

Books

The California fair housing encyclopedia: a guide to fair housing practices for owners and managers of residential rental properties in California - KFC145 .C35, CA Collection 1st Floor.

California Forms of Pleading and Practice - KFC1010.A65 C3, CA Collection 1st Floor, Volume 11 Chapter 117 Civil Rights: Housing Discrimination, also available online via Lexis and the LexisNexis Digital Library.

California Fair Housing & Public Accommodations (The Rutter Group, Civil Litigation Series) - available online via Westlaw.

Legal Help

Echo Housing

1305 Franklin St. #305 Oakland, CA 94612 | (510) 496-0496 | <https://www.echofairhousing.org/>

Free legal counseling, investigation, and mediation related to landlord-tenant matters, such as housing discrimination, fair housing, and landlord and tenant rights and responsibilities.

Bay Area Legal Aid

1735 Telegraph Ave. Oakland, CA | Oakland Office: (510) 663-4744 | Legal Advice Line: 800-551-5554 | <https://baylegal.org/legal-areas/housing/fair-housing/>

Legal Advice Line can help direct you to information, referrals, or representation with fair housing issues. See website for hours.

Police Misconduct

Guides

California Department of Justice Attorney General Local Law Enforcement Agency Complaints | <https://oag.ca.gov/police-complaints>

This guide provides information on how to submit a complaint to the local law enforcement agency, the county district attorney, and/or the Attorney General's Office.

Alameda County Grand Jury | <https://grandjury.acgov.org/submit-complaint/>

Civil grand jury complaint process to investigate misconduct by government officials.

United States District Court Northern District of California (CAND) | https://cand.uscourts.gov/wp-content/uploads/pro-se/forms-for-prisoners/Complaint-by-a-Prisoner-form_12.4.23.pdf

Instruction packet for filing a Civil Rights Complaint by a Prisoner Under 42 U.S.C. § 1983

Books

Police Civil Liability - KF1307 .S55, Reference, also available online via the LexisNexis Digital Library.

Police misconduct: law and litigation - KF1307 .A98, Federal Practice Active Titles, Stack 107, also available online via Westlaw.

Police misconduct: a practitioner's guide to Section 1983 - KF1307 .B46, Federal Practice Active Titles, Stack 107

Legal Help

Lawyers' Committee for Civil Rights of the San Francisco Bay Area

info@legalaidatwork.org | (415) 543-9444 | <https://lccrsf.org/>

Provides free legal services to low-income Bay Area individuals with various programs such as Police Violence Legal Support.