



SpencerFane®

W. Joseph (Joe) Hatley

Partner

Contact

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Overview

Joe Hatley is a civil and commercial litigator who helps educational institutions navigate a myriad of federal and state laws so they can meet the increasing demands of lawmakers, parents, and students. In addition to supporting educational institutions, Joe defends employers in disputes with both employees and regulators, while also maintaining an active practice across a variety of business disputes.

Joe's broad experience includes drafting policies and contracts, advising on how to comply with employment laws, and trying cases when claims are asserted against his clients, including claims alleging high-stakes constitutional violations.

His extensive work for educators – often among the largest employers in their communities – provides a natural segue to his work for other private and public employers. For instance, he defends discrimination and retaliation suits brought under Missouri laws, which are among the friendliest to employees in the nation. He also defends wage and hour claims, and provides wise counsel to clients with other employment law questions.

He also has years of trial experience handling business disputes across a wide range of industries, including trials involving construction, eminent domain, banking, aviation, and property valuation.

Education

- University of Missouri School of Law (J.D.), *Order of the Coif, cum laude*
- Maryville University (B.A.), *magna cum laude*

Bar Admissions

- Kansas, 1986
- Missouri, 1985

Court Admissions

- U.S. District Court for the District of Kansas
- U.S. District Court for the Western District of Missouri
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Supreme Court

Distinctions

- *Missouri Lawyers Media*, POWER List, 2022
- *Missouri & Kansas Super Lawyers*, 2006–2007, 2011–2018
- *Best Lawyers in America*, Commercial Litigation, 2013–2026

Memberships

- American Bar Association
- Missouri Bar Association
- Kansas Bar Association
- Kansas City Metropolitan Bar Association
- National School Boards Association Council of School Attorneys

Presentations and Publications

- “What Employers Must Know About Speak Out Act Compliance,” *Law360*, January 2023
- “The Wild Ride of 2023: New Year, New Laws,” Spencer Fane WorkSmarts Seminar, February 2023
- “Sexual Harassment of Interns in the Missouri Legislature,” KCUR, Up to Date Podcast, 2016
- “Understanding the Role of Your School Board Attorney,” Missouri School Boards Association, 2014
- “Same-Sex Parents: Is Your District Ready?” Missouri School Boards Association, 2014
- “Related Services – Where Creativity and Budgets Collide,” Missouri Association of Special Education Administrators, 2012
- “Obligations to Homeless Students,” Missouri School Boards Association, 2011
- “Student Discipline, Special Education, and Section 504,” Charter School Law Conference, 2010
- “Special Education and Seclusion / Restraint Update,” Kansas Association of School Boards Law Conference, 2010
- “FERPA and Student Privacy,” Kansas Association of School Boards Law Conference, 2010
- “IEP Implementation,” Local Administrators of Special Education Law Conference, 2009
- “What Every Educator Needs to Know About Developing and Implementing IEPs for Students with Behavioral Concerns,” Midwest Symposium for Leadership in Behavior Disorders, 2009
- “The Missouri Safe Schools Act, Missouri School Boards Association,” 2008
- “IEP Trouble Spots,” Local Administrators of Special Education Law Conference, 2008

Related Experience

- Conducted a high-profile internal investigation into allegations that public school officials retaliated against a co-worker for “whistleblowing” about the misuse of public funds.

- Obtained summary judgment for lender on claims alleging lender violated promises to use its “best efforts” to assist with resurrection of real estate development following the collapse of the housing market. Lender was subsequently repaid in full, including attorneys’ fees.
- Obtained a defense jury verdict in Jackson County Circuit Court on a suit under the Missouri Human Rights Act alleging race and age discrimination, as well as retaliation for jury service.
- Consistently prevailed at special education due process hearings, and in the process, helped to develop favorable legal precedents in federal courts that have resulted in a substantial decrease in the number of such claims being filed.
- In a proceeding before the Kansas Board of Tax Appeals, Joe obtained hundreds of thousands of dollars in property tax refunds for a landfill owner based on a flawed appraisal by taxing authorities.
- Won a jury trial in which a developer claimed damages of over \$3 million arising from the condemnation of real estate for an elementary school.
- Successfully defended against statutory and constitutional challenges the right of local school districts to receive over \$36 million in sales tax revenues that had been approved by voters.
- Successfully defended school districts throughout the region in administrative due process hearings in which the adequacy of educational programs for disabled children have been challenged.
- Successfully defended school administrators against a claim that they violated a student’s rights in the course of taking disciplinary action against the student for making threats of physical violence, obtaining a jury verdict in favor of those administrators.
- Obtained a defense award in an arbitration arising out of a contractual dispute between a health maintenance organization and a hospital, in which the total damages claimed were over \$22 million dollars.
- Successfully defended the owner of a themed hotel against claims of trade dress infringement.
- Prevailed in a case before the Kansas Supreme Court challenging over \$1 million in contempt fines imposed against a client.
- Successfully argued for the dismissal of a suit alleging that a local school district breached a contract involving the purchase of real estate intended for use as a school, where the school district later sold the property at a profit when it determined the property was no longer suitable for a school due to surrounding development.
- Obtained a half million dollar judgment, upheld on appeal, for a retailer’s loss of business profits stemming from the condemnation of a shopping center.