Friday, September 25, 2020 (Civ Pro class 4 of 15!!)

Today:
- Extra credit: "FYLC—Our Stories"!
- Review NYS & federal court systems!
- Types of jurisdiction! (jurisdictional bases)
- Quiz #1!!

By end of today (or 12 noon Sun. Sept. 27)—*for Intro:* Email me your first draft resume!

Mon. Sept. 28: No class!! ☹ *Yom Kippur.*

For Tues. Sept. 29 (Intro—college on Monday schedule!):
- Read M&M pp. 41-44 (cover letters) including sample letter.
- Review sample cover letters to be posted on OL. Reply by 10am with <u>one compliment</u> and <u>one suggestion</u> for one letter.

For Wed. Sept. 30 (Intro again!): First draft cover letter due 10am.

For Fri. Oct. 2 (next Civ Pro):
- Review C&W chs. 2 & 3 and answer "DYGI?" #1-6 on p. 38, email to me by 1pm.
- Read C&W ch. 4.
- *Optional:* FYLC "Our Stories" post!

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For review of NYS court system, see answer key to exercise due today, in "Answer keys" tab on OL.

If the U.S. Supreme Court <u>denies</u> a writ of certiorari, this means:
(A)   the Court agrees with the judgment of the Circuit Court of Appeals
(B)   the Court disagrees with the judgment of the Circuit Court
(C)   the Court neither agrees nor disagrees with the Circuit Court; it simply does not want to decide the case

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Types of jurisdiction!!

<u>Jurisdiction</u> = court's authority (power, right) to decide a particular type of case ("jurx").
➢   Depends on factors, including geography, subject of the case, who the parties are, etc.
➢   Court only has jurisdiction if a <u>constitution</u> or <u>statute</u> says it does.
➢   Jurisdiction is **CRITICAL!!** If a court decides a case, and turns out it <u>lacked jurisdiction</u>, decision is <u>void</u>. *See example in C&W ch. 3, p. 25.*

Limited jurisdiction = court has authority to decide only specific types of cases.
➢ Except for NY Supreme Court (gen jurx), **ALL** courts in NYS have limited jurx.
➢ **ALL** federal courts have limited jurx—even US Supreme Court!!

Federal courts' jurisdiction ➔ 2 main types of cases:
(1) <u>federal question jurisdiction</u>
- case must involve <u>federal</u> law
- *such as* whether someone may enter the U.S., *or* if someone's Constitutional rights were violated

(2) <u>diversity jurisdiction</u> – case must satisfy *two* criteria:
- dispute between citizens of different states *such as* Coughlin (NY) v. Williams (NJ) ***AND***
- amount in controversy = at least $75,000!

Geographic jurisdiction = court's power to decide cases involving people or events in a particular geographic area.

Subject matter jurisdiction = court's power to decide cases regarding particular <u>subjects</u> (e.g., criminal, divorce, bankruptcy)

General jurisdiction = court's authority to decide <u>any</u> type of case unless a statute says it <u>cannot</u>.
➢ The <u>only court</u> in NYS with general jurx is NY Supreme Court.
➢ NO federal court has general jurx → *not even U.S. Supreme Court!!*

Exclusive jurisdiction = only <u>one court</u> has authority to decide a particular type of case.
➢ NY Court of Claims has exclusive jurisdiction over $ damages claims against NYS.
➢ US Bankruptcy courts have exclusive jurisdiction over bankruptcy cases.

Concurrent jurisdiction = more than one court has authority to decide a particular type of case.
➢ e.g., NY Supreme Court *AND* NYC Civil Court have concurrent jurx over civil cases up to $25,000.

Original jurisdiction = authority to be the <u>first</u> court to decide a legal question (case <u>originates</u> there).

Appellate Jurisdiction = authority to decide an <u>appeal</u> of a lower court's decision (review that court's decision)

Personal Jurisdiction = court's authority to require a <u>person</u> to comply with its decision
- *a.k.a.* "in personam jurisdiction"
- *"person"* = human, business, other entity