

**Wednesday, February 27, 2019** (class 9 of 30!)

**Today:** Get to know your CPLR; jurisdictional bases!

**Now:**

- Complete poll on summer courses!
- Take out homework! (types of jurx, Long Arm Statute citation)
- Take out CPLR!

**For next class** (Mon. March 4!): Review C&W ch. 3; on p. 38, answer "Did You Get It?" #1-6 in complete sentences, typed.

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**Jurisdiction** = court's authority (power, right) to decide a particular type of case.

- Stated in a constitution or statute.
- Depends on many factors, including geography, subject of the case, who the parties are, etc.
- It's **CRITICAL!!** If a court decides a case, then turns out it lacked jurisdiction to do so, decision is void.

### ***Types of jurisdiction!***

**Geographic jurisdiction** = court's power to decide cases involving people or events in a particular geographic area (e.g., Kings County, or Eastern District of NY)

**Subject matter jurisdiction** = court's power to decide cases regarding particular subjects (e.g., damages claims against NYS government, or bankruptcy)

**General jurisdiction** = court's authority to decide any type of case unless a statute says it cannot.

- Only court in NYS with general jurx is NY Supreme Court.
- NO federal court has general jurx → *not even U.S. Supreme!!*

**Exclusive jurisdiction** = only one court has authority to decide a particular type of case.

- NY Court of Claims has exclusive jurisdiction over damages claims against NYS. (*No other court can decide them—not even NY Supreme Court.*)
- US Bankruptcy Courts have exclusive jurisdiction over bankruptcy cases.

**Limited jurisdiction** = a court has authority to decide only certain types of cases.

- ALL courts in NYS have limited jurx—*except NY Supreme!*
- ALL federal courts have limited jurx—*even US Supreme!*

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

**Original Jurisdiction** = court's authority to be the first to decide a legal question (case originates there). Trial courts have original jurisdiction.

**Appellate Jurisdiction** = authority to decide an appeal of a lower court's decision (review that court's decision). Appellate courts (intermediate & highest) have appellate jurisdiction! ☺

**Personal Jurisdiction** = court's authority to require a person to comply with its decision ("in personam jurisdiction"). "Person" includes humans, businesses, and other entities.

**In Rem Jurisdiction** = court's authority to determine the parties' rights with regard to a thing ("res") that is within the court's geographic jurisdiction, such as who owns a piece of real estate.