

Wednesday, March 6, 2019 (class 10 of 30!)

Today: Long Arm Jurisdiction!

Now:

- Take out homework! ("Did You Get It?" Qs 1-6)
- Open CPLR to Long Arm Statute! (If you don't recall the #, ask your neighbor!)

For next class (Mon. March 11):

- Read C&W ch. 4 pp. 39-42.
- Review for midterm exam! Bring Qs.

Wed. March 13: MIDTERM EXAM!

Wed. May 15: Class 28! *No more "Reading Day."*

* * *

Personal Jurisdiction = court's authority to require a person to comply with its decision

- "in personam jurisdiction"
- "*person*" = human, business, other entity

Long Arm Jurisdiction

- Court's authority to exercise personal jurisdiction over non-domiciliaries.
 - Required for due process.
 - Need "minimum contacts" with the jurisdiction.
- In NY: provided by Long Arm Statute, CPLR § 302

14th Amendment to the US Constitution:

" . . . No state shall . . . deprive any person of life, liberty, or property, without **due process** of law; nor deny to any person within its jurisdiction the equal protection of the laws."

International Shoe v. State of Washington (U.S. Sup. Ct 1945):

"[D]ue process requires only that, in order to subject a defendant to a judgment *in personam*, . . . he have certain **minimum contacts** with [a state] such that the maintenance of the suit does not offend traditional notions of fair play and substantial justice."

Under CPLR § 302(a), may a NY court exercise personal jurisdiction over . . .

1. Ana, an artist from Arizona, who sells her artwork to galleries in NY? *Yes, under § 302(a)(1).*
2. Kemba, a keychain seller from Kansas, who contracts in Kentucky to sell keychains in NY?
Yes, under § 302(a)(1).
3. Crystal, of California, who owns an apartment in Canarsie (Brooklyn) that she rents out, and she commits the tort of conversion in Connecticut, by stealing the car of Kaya who lives in Queens?
Yes, under § 302(a)(3)(i).
4. Corey, of Cape Cod (Massachusetts), who spends every summer at his parents' apartment in Co-op City (in the Bronx)? *Yes, under § 302(a)(4).*
5. Sandra of South Dakota, who defamed the character of Sergio of Staten Island?
No, under § 302(a)(2) or (3).