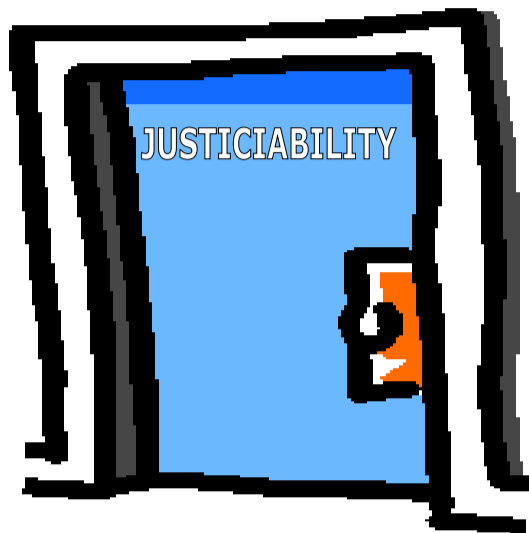
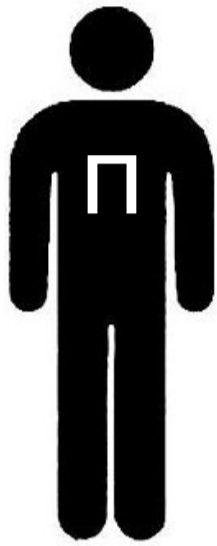


Con Law Big Picture

Step One: Justiciability

Can Plaintiff Get in the Courthouse Door?



Depends on the Plaintiff:

- Does she present a real **case or controversy**?
- Does she have **standing**?
 1. Actual or imminent injury special to her?
 2. Injury caused by the defendant's action?
 3. Injury redressable by the court?
- Is her case **ripe** for review?
- Is her case not **moot**?

And on Her Claim:

- Do the federal courts have **jurisdiction**?
 1. Claim arising from Constitution or federal law?
 - OR 2. Diversity of citizenship?
- Might this case call for federal **abstention**?
- Could this case be a **political question**?

Variations

Plaintiff sues in state court



NO ISSUE OF JUSTICIABILITY



State court may rule on:

State Issues AND **Federal Issues** (including Const.)

Defendant's options:

Const. defense
OK in state court for state claim
BUT no removal to federal court



Removal to federal court
ONLY if Plaintiff could have sued in federal court

Supreme Court Jurisdiction



Justiciability rules apply, PLUS...

Supreme Court needs jurisdiction:

- **Original jurisdiction:**
 1. Ambassadors, etc.
 2. Cases between states
- **Appellate jurisdiction:**
 1. Certiorari: Discretionary (common)
 2. By appeal: Mandatory (rare)