

University of Richmond UR Scholarship Repository

Law Faculty Publications

School of Law

2006

Cumulative Supplement to Jurisdiction in Civil Action

Wendy Collins Perdue
University of Richmond, wperdue@richmond.edu

Follow this and additional works at: http://scholarship.richmond.edu/law-faculty-publications

Part of the <u>Civil Procedure Commons</u>, and the <u>Courts Commons</u>

Recommended Citation

Wendy Collins Perdue et. al., Jurisdiction in Civil Actions, (3d. ed. Supp. 2005-2010).

This Book Chapter is brought to you for free and open access by the School of Law at UR Scholarship Repository. It has been accepted for inclusion in Law Faculty Publications by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.

JURISDICTION IN CIVIL ACTIONS

Third Edition 2006 Cumulative Supplement

Volume One

Robert C. Casad

John H. and John M. Kane Professor of Law The University of Kansas

William M. Richman

Distinguished University Professor The University of Toledo College of Law

Wendy Collins Perdue

Professor of Law and Associate Dean, Georgetown University Law center

Place in pocket of bound volume and recycle previous supplement.



QUESTIONS ABOUT THIS PUBLICATION?

For questions about the Editorial Content appearing in these vo	lumes or reprint permission, please
call: Ann Glasser at Email: Jeffrey Bacich, J.D. at Email: For assistance with replacement pages, shipments, billing or oth	(800) 424-4200 (ext. 3514) ann.c.glasser@lexisnexis.com (800) 424-0651 (ext. 3205) ieffrey.y.bacich@lexisnexis.com
call: Customer Services Department at	(800)833-9844 (518) 487-3000
Fax Number	all
Your account manager or Outside the United States and Canada, please call	

ISBN: 0-327-00796-6

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal advice or other expert assistance is required, the services of a competent professional services. professional should be sought.

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc, used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.

Copyright © 2006 Matthew Bender & Company, Inc., a member of the LexisNexis Group. Originally published in: 1983. All Rights Reserved.

No copyright is claimed in the text of statutes, regulations, and excerpts from court opinions quoted within this work. Permission to copy material exceeding fair use, 17 U.S.C. § 107, may be licensed for a fee of 25¢ per page per copy from the Copyright Clearance Center, 222 Rosewood Drive, Danvers, Mass. 01923, telephone (978) 750-8400.

Editorial Offices 744 Broad Street, Newark, NJ 07102 (973) 820-2000 201 Mission St., San Francisco, CA 94105-1831 (415) 908-3200 www.lexisnexis.com

MAITHEW BENDER

TABLE OF CONTENTS

CHAPTER 1	FUNDAMENTAL CONCEPTS AND TERMINOLOGY	
§ 1-1	Jurisdiction.	
§ 1-3	Jurisdiction and Venue Distinguished.	
§ 1-4	Forum Non Conveniens.	
§ 1-6	Immunity from Jurisdiction.	
§ 1-7	Prorogation Agreements: Forum Clauses.	
§ 1-8	Continuing Jurisdiction.	
CHAPTER 2	CONSTITUTIONAL LIMITATIONS ON THE EXERCISE OF STATE COURT JURISDICTION	
§ 2-3	The Development of Modern Jurisdictional Theory: Minimum Contacts Fair Play and Substantial Justice.	
§ 2-4	Modern Jurisdictional Theory and The Traditional Bases.	
§ 2-5	Personal Jurisdiction From the Present Perspective.	
§ 2-6	Jurisdiction Over Property.	
§ 2-7	The Process that is Due: Notice and Opportunity to Defend.	
CHAPTER 3	STATUTORY REQUIREMENTS FOR THE EXERCISE OF JURISDICTION: TRADITIONAL JURISDICTIONAL BASES	
§ 3-1	In Personam Actions Against Individuals and Corporations.	
§ 3-2	In Personam Actions Against Private Corporations.	
§ 3-3	In Personam Actions Against Partnerships and Unincorporated Associations.	
§ 3-5	In Rem and Quasi In Rem Actions.	
§ 3-6	Actions By or Against Decedents' Estates.	
§ 3-7	Subpoenas.	
CHAPTER 4	THE LONG-ARM STATUTES	
§ 4-1	Types and Application of Long-Arm Statutes.	
§ 4-2	Typical Provisions.	
§ 4-3	Imputed Contacts.	
§ 4-5		
	Actions Against Out-of-State Municipalities and Agencies.	

TABLE OF CONTENTS					
§ 4-6 § 4-7	Persons and Corporations of Foreign Countries. Supplemental Long-Arm Jurisdiction.				
CHAPTER 5	INVOKING JURISDICTION OF FEDERAL COURTS				
§ 5-2	The Federal Rules of Civil Procedure.				
§ 5-3	Nationwide & Worldwide Service Acts.				
§ 5-4	Personal Jurisdiction in Removed Cases.				
§ 5-5	Enforcement or Removal of Liens or Claims to Property.				
§ 5-6	Venue.				
§ 5-7	Admiralty Actions.				
§ 5-8	Bankruptcy.				

FUN

§ 1-1.

§ 1-3.

§ 1-4.

§ 1-6. § 1-7.

§ 1-8.

§ 1-1

[1]

Pŧ

Mari

perso

Pa (199 Dou_i Univ

1999

Mon 1999

Pa

Serv

P

Sher Unit

957

P

JURISDICTION IN CIVIL ACTIONS

Third Edition 2006 Cumulative Supplement

Volume Two

Robert C. Casad

John H. and John M. Kane Professor of Law The University of Kansas

William M. Richman

Distinguished University Professor
The University of Toledo College of Law

Wendy Collins Perdue

Professor of Law and Associate Dean, Georgetown University Law center

Place in pocket of bound volume and recycle previous supplement.



QUESTIONS ABOUT THIS PUBLICATION?

For questions about the Editorial Content appearing in these volumes or reprint permission	ı, plcase
call:	. 2514)
Ann Glasser at	L 3314)
Email: ann.c.grasser@icatsic	t 3205)
Jeffrey Bacich, J.D. at	xis.com
For assistance with replacement pages, shipments, billing or other customer service matters	s, please
call:	
Customer Services Department at	33-9844
Outside the United States and Canada, please call	87-3000
Fax Number	87-3584
For information on other Matthew Bender publications, please call	
Your account manager or (800) 2	23-1940
Outside the United States and Canada, please call	87-3000

ISBN: 0-327-00796-6

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal advice or other expert assistance is required, the services of a competent

LexisNexis, the knowledge burst logo, and Michie are trademarks of Reed Elsevier Properties Inc, used under license. Matthew Bender is a registered trademark of Matthew Bender Properties Inc.

Copyright © 2006 Matthew Bender & Company, Inc., a member of the LexisNexis Group. Originally published in: 1983. All Rights Reserved.

No copyright is claimed in the text of statutes, regulations, and excerpts from court opinions quoted within this work. Permission to copy material exceeding fair use, 17 U.S.C. § 107, may be licensed for a fee of 25¢ per page per copy from the Copyright Clearance Center, 222 Rosewood Drive, Danvers, Mass. 01923, telephone (978) 750-8400.

Editorial Offices 744 Broad Street, Newark, NJ 07102 (973) 820-2000 201 Mission St., San Francisco, CA 94105-1831 (415) 908-3200 www.lexisnexis.com

MATTHEW BENDER

or CC au W te th

th

TABLE OF CONTENTS

CHAPTER 6	CHALLENGING JURISDICTION
§ 6-1	Preliminary Challenges.
§ 6-2	Challenges to Jurisdiction After Judgment.
§ 6-4	Limited Appearances.
CHAPTER 7	LONG-ARM JURISDICTION IN TORT CASES
§ 7-2	Personal Injury (Including Wrongful Death and Survival Actions)
•	
§ 7-3 _.	Injury to Real Property.
§ 7-4	Injury to Personal Property.
§ 7-5	Conversion.
§ 7-6	Fraud and Deceit.
§ 7-7	Defamation and Invasion of Privacy.
§ 7-8	Malicious Prosecution and Abuse of Process.
§ 7-9	Business Torts.
CHAPTER 8	LONG-ARM JURISDICTION IN CONTRACT CASES
e o 1	Contracts of Sale.
§ 8-1	Contracts of Safe.
	No poticials Yngtrumonta
§ 8-2	Negotiable Instruments. Loan Transactions.
§ 8-3	
§ 8-4	Guaranty Agreements.
§ 8-5	Letters of Credit.
§ 8-6	Lease Agreements.
§ 8-7	Construction Contracts.
§ 8-8	Insurance Contracts.
§ 8-9	Contracts of Carriage.
§ 8-10	Partnership Agreements.
§ 8-11	Service and Employment Contracts.
§ 8-12	Settlement Agreements.
CHAPTER 9	LONG-ARM JURISDICTION IN OTHER ACTIONS

TABLE OF CONTENTS

§	9-1	Property Actions.
§	9-2	Domestic Relations Cases.
§	9-3	Corporate Affairs.
§	9-4	Consumer Actions
8	9-7	Actions Under Civil Rights Statutes.
§	9-8	Private Antitrust Actions.
§	9-9	Patent, Copyright, and Trademark Actions.
§	9-10	State Regulatory Civil Actions.
§	9-11	Interpleader Actions.
§	9-12	Class Actions.