Word Bank

In developing an understanding of legal terminology and rules and their application please use only the text and supplemental material provided. DO NOT GO TO NONREFERENCED OUTSIDE INTERNET SOURCES OR CASES.

Chapter 2

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Word** | **What** | **Who** | **How** | **Requirements** | **Authority** |
|  |  |  |  |  |  |  |
| Plaintiff | Complains | P | Files action (suit) | * Standing
 |  |
| Defendant | Responds | D | Files response |  |  |  |
| Jurisdiction | Authority to require defendant to respond | State or Courts within State | Personal/subject | * Residence
* Contacts
* Property
* Subject matter
* Federal
 | * Constitutional Fundamental fairness (Due Process)
* Legislative
* Common law
 |
| Due Process (general)  |  |  |  |  | * 5th Amendment of U.S. Constitution (Fed)
* 14th Amendment of U.S. Constitution (States)
 |
| Common Law |  |  |  |  |  |
| Venue |  |  |  |  |  |
| Standing |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Authority**

**Court Cases: Text (T), Supplemental Readings (S)**

**To help your understanding of rules of law and their application to factual situations please read posted supplemental material and the cases providing illustration of concepts. Also read the abbreviated cases presented in the text looking to their use of terms. Look carefully for footnoted case references in the text and read those online. In many instances, the cases (common law) are your authority to be used later in your analysis.**

**Chapter 2**

|  |  |  |  |
| --- | --- | --- | --- |
| **Authority Name/Date/source** | **Legal Principal** | **Rule** | **Fact (Situation)** |
| *Pennoyer v. Neff/*1 877 /S | Jurisdiction | * "every State possesses exclusive jurisdiction and sovereignty over persons and property *within* its territory;"
* "no State can exercise direct jurisdiction and authority over persons or property *without* its territory."
 | Dispute involving instate and out of state parties.  |
| *International Shoe v State of Washington 1945*  | Jurisdiction – minimum contacts | * "certain minimum contacts with [the state] such that maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.'"
 | P, State of Washington, sued D, International Shoe, of Delaware and Missouri, seeking compliance with Washington state regulations. |
| *Gucci* America *v Wang Huoquing /*2011/ T35 | **J**urisdiction – Internet Activity (cyber jurisdiction  |  |  |
| *Mala v. Crown Bay Marina* (2013)/ T 31 | Jurisdiction - diversity |  |  |
| *Oregon v. Legal Services Corp* (2009) / T 37 | Standing  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |