

Civil Procedure I Outline

- I. Personal Jurisdiction: The power to bring parties before court and render a binding judgement.
 - A. Introduction
 1. Substantive Due Process: Court has the power to act upon person or property through:
 - a. MINIMUM CONTACTS with the forum state,
AND
 - b. LONG ARM STATUTE which accepts such jur.
 2. 3 Types of juris.
 - a. In Personam
 - (1) Forum state has juris. over the D's person.
 - (a) Judgment in forum state is entitled to Full Faith and Credit in other states (Art. 5).
 - b. In Rem
 - (1) When court has power over D's property or status
 - (a) Ex: Action to quiet title; dissolution of marriage.
 - c. Quasi In Rem
 - (1) Power of court to attach or garnish property to gain juris. over D (Schaffer requires this to be tested under "minimum contacts" standard of Internat'l Shoe)
 - (2) Judgment affects only the property seized.
 - B. Power (Substantive Due Process)
 1. State's long arm statute
 - a. Permits the court of a state to obtain juris. over persons not physically present in the forum state at the time of service.
 2. Due Process
 - a. General Juris
 - (1) Substantial contacts: Systematic and continuous
 - (2) Any claim
 - b. Specific Juris.
 - (1) Minimum contacts