

How to Succeed in Law School

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Four suggestions about learning the stuff

Learning the material – importance of “distilling”

One example of distilling (this happens to be from Civil Procedure)

Diversity of citizenship jurisdiction

1. Complete diversity rule: no P can be citizen of same state as any D and
2. Amount in controversy: must exceed \$75,000
 - Determining citizenship
 - Human: state of her domicile
 - Physically present with intent to make it permanent home
 - Corporation: state of incorporation and ONE state of principal place of business
 - PPB might be nerve center (decisions) or muscle center
 - A tiebreaker: use nerve unless all business activity in one state
 - Non-incorporated (e.g., partnership, LLC): citizenship of all members
 - Determining amount in controversy
 - Must exceed \$75,000
 - Can aggregate separate claims if one P versus one D

Six suggestions about exams

A Hypo

D, who raises horses in Kentucky, sent a horse to participate in a prestigious horse show in State X. D did not attend the show, because he was to attend another show in Europe at that time, but ensured that his horse farm would be advertised at the show. He also requested police protection for his animal. At the show, the horse, fitted with a bridle as instructed by D, ran into the crowd and injured P, who was one of the police officers acting as part of the security detail. P suffered serious and permanent physical injuries. P sues D in State X. Would the exercise of personal jurisdiction be constitutional?

Factors concerning contact between D and State X

- Purposeful availment by D of State X?
- Foreseeability that D could get sued in State X?

Factors concerning fairness of jurisdiction in State X

- Relatedness: Do P's injuries arise from D's contact with State X?
- Burden on D to litigate in State X?
- State X's interest?
- P's interest?
- Efficiency, etc.